

1999 ASSEMBLY BILL 969

May 2, 2000 – Introduced by LAW REVISION COMMITTEE. Referred to calendar.

1 **AN ACT relating to:** repealing, consolidating, renumbering, amending and
2 revising various provisions of the statutes for the purpose of correcting errors,
3 supplying omissions, correcting and clarifying references, eliminating defects,
4 anachronisms, conflicts, ambiguities and obsolete provisions, reconciling
5 conflicts and repelling unintended repeals (Revisor’s Correction Bill).

Analysis by the Legislative Reference Bureau

This revisor’s correction bill is explained in the NOTES provided by the revisor of statutes in the body of the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

6 **SECTION 1.** 1.10 (1) of the statutes, as affected by 1999 Wisconsin Act 83, is
7 amended to read:

8 1.10 (1) The Wisconsin state song is “On, Wisconsin”, music written by W. T.
9 Purdy, the words to which are as follows: “On, Wisconsin! On, Wisconsin! Grand old

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1 badger state! We, thy loyal sons and daughters, Hail thee, good and great. On,
2 Wisconsin! On, Wisconsin! Champion of the right, 'Forward', our motto — God will
3 give thee might!"

NOTE: The underscored exclamation point was deleted by 1999 Wis. Act 83 without
being shown as stricken. No change was intended.

4 **SECTION 2.** 6.47 (1) (a) 2. of the statutes, as created by 1999 Wisconsin Act 49,
5 is amended to read:

6 6.47 (1) (a) 2. An individual who files an affidavit with the municipal clerk of
7 the municipality where the individual resides, on a form prescribed by the board,
8 ~~which~~ that is signed by a sheriff or the chief of a police department and directed to
9 the municipal clerk, and ~~which~~ that verifies that a person has been charged with or
10 convicted of an offense relating to domestic abuse in which the individual was a
11 victim and reasonably continues to be threatened by that person.

NOTE: Replaces "which" with "that" to correct grammar.

12 **SECTION 3.** 6.55 (2) (a) of the statutes, as affected by 1999 Wisconsin Act 49, is
13 renumbered 6.55 (2) (a) 1. and amended to read:

14 6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed,
15 any person who qualifies as an elector in the ward or election district where he or she
16 desires to vote, but has not previously filed a registration form, or was registered at
17 another location in a municipality where registration is required, may request
18 permission to vote at the polling place for that ward or election district, or at an
19 alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made,
20 the inspector shall require the person to execute a registration form prescribed by
21 the board ~~which~~ that shall contain the following certification:

22 "I,, hereby certify that to the best of my knowledge, I am a qualified elector,
23 having resided at for at least 10 days immediately preceding this election, and

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1 that I am not disqualified on any ground from voting, and I have not voted, at this
2 election.”

3 2. If a change of address is made from outside the municipality, the elector shall
4 file a cancellation under s. 6.40 (1) (b) 6.

NOTE: the text of subd. 2. is relocated in order to not appear to be part of the required certification. “Which” is replaced with “that” to correct grammar. The stricken “6” was inserted by 1999 Wis. Act 49 without being shown as underscored. No change was intended. There is no s. 6.40 (1) (b) 6.

5 **SECTION 4.** The treatment of 8.20 (2) (c) of the statutes by 1999 Wisconsin Act
6 6 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 8.20 (2) (c) reads:

(c) In the case of candidates for the offices of president and vice president, the nomination papers shall contain both candidates’ names; the office for which each is nominated; the residence and post-office address of each; and the party or principles they represent, if any, in 5 words or less. In the case of candidates for the offices of governor and lieutenant governor, the nomination papers shall contain both candidates’ names or the name of a candidate for either office; the office for which each candidate is nominated; the residence and post-office address of each candidate; and the party or principles each candidate represents, if any, in 5 words or less.

7 **SECTION 5.** The treatment of 13.63 (1) (a) of the statutes by 1999 Wisconsin Act
8 9 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 13.63 (1) (a) reads:

(a) An application for a license to act as a lobbyist may be obtained from and filed with the board. Except as authorized under par. (am), an applicant shall include his or her social security number on the application. The application shall be signed, under the penalty for making false statements under s. 13.69 (6m), by the lobbyist. Upon approval of the application and payment of the applicable license fee under s. 13.75 (1) or (1m) to the board, the board shall issue a license which entitles the licensee to practice lobbying on behalf of each registered principal who or which has filed an authorization under s. 13.65 for that lobbyist and paid the authorization fee under s. 13.75 (4). The license shall expire on December 31 of each even-numbered year.

9 **SECTION 6.** The treatment of 13.63 (1) (b) of the statutes by 1999 Wisconsin Act
10 9 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 13.63 (1) (b) reads:

(b) Except as provided under par. (am), the board shall not issue a license to an applicant who does not provide his or her social security number. The board shall not

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issue a license to an applicant or shall revoke any license issued to a lobbyist if the department of revenue certifies to the board that the applicant or lobbyist is liable for delinquent taxes under s. 73.0301. The board shall refuse to issue a license or shall suspend any existing license for failure of an applicant or licensee to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or failure of an applicant or licensee to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. No application may be disapproved by the board except an application for a license by a person who is ineligible for licensure under this subsection or s. 13.69 (4) or an application by a lobbyist whose license has been revoked under this subsection or s. 13.69 (7) and only for the period of such ineligibility or revocation.

1 **SECTION 7.** 14.015 (2) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1999.

2 **SECTION 8.** 15.377 (6) of the statutes, as affected by 1999 Wisconsin Act ...
3 (Senate Bill 204), is amended to read:

4 **15.377 (6) COUNCIL ON LIBRARY AND NETWORK DEVELOPMENT.** There is created in
5 the department of public instruction a council on library and network development
6 composed of 19 members. Nine of the members shall be library science, audiovisual
7 and informational science professionals representative of various types of libraries
8 and information services, including public libraries, public library systems, school
9 libraries, public and private academic libraries, special libraries and library
10 educators. Ten of the members shall be public members who have demonstrated an
11 interest in libraries or other types of information services. The members of the
12 council shall be appointed for 3-year terms. The council shall meet 6 times annually
13 and shall also meet also on the call of the state superintendent of public instruction,
14 and may meet at other times on the call of the chairperson or a majority of its
15 members.

NOTE: 1999 Wis. Act (sb 204) deleted the underscored language without showing it as stricken. No change was intended. The order of the text is changed to correct grammar.

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1 **SECTION 9.** 15.407 (4) (a) of the statutes, as affected by 1999 Wisconsin Act 32,
2 is amended to read:

3 15.407 **(4)** (a) Three speech–language pathologists ~~registered~~ licensed under
4 subch. II of ch. 459.

NOTE: 1999 Wis. Act 32 deleted “licensed” without showing it as stricken and inserted “registered” without showing it as underscored. No change was intended.

5 **SECTION 10.** 15.945 of the statutes is repealed.

NOTE: By its terms, s. 15.945 (2) has no application after June 30, 1999. There are no other subsections of s. 15.945.

6 **SECTION 11.** 16.009 (1) (g) of the statutes is repealed.

NOTE: Section 16.009 (1) (g) defines “medicare part B” for purposes of s. 16.009. 1999 Wis. Act (sb 155) deletes all references to “medicare part B” from s. 16.009.

7 **SECTION 12.** 16.971 (2) (m) of the statutes, as affected by 1999 Wisconsin Acts
8 29 and 32, is amended to read:

9 16.971 **(2)** (m) Assist in coordination and integration of the plans of executive
10 branch agencies relating to information technology approved under par. (L) and,
11 using these plans and the statewide long–range telecommunications plan under s.
12 16.99 (2) (a), formulate and revise biennially a consistent statewide strategic plan
13 for the use and application of information technology. The division shall, no later
14 than September 15 of each even–numbered year, submit the statewide strategic plan
15 to the cochairpersons of the joint committee on information policy and ~~policy~~
16 technology and the governor.

NOTE: 1999 Wis. Act 32 deleted the underscored language, but its reinsertion is necessary to give effect to 1999 Wis. Act 29. 1999 Wis. Act 32 inserted the stricken language, but its deletion is necessary to give effect to 1999 Wis. Act 29.

17 **SECTION 13.** 20.143 (1) (fm) of the statutes is amended to read:

18 20.143 **(1)** (fm) *Minority business projects; grants and loans.* Biennially, the
19 amounts in the schedule for grants under ss. ~~560.033~~, 560.038, 560.039, 560.82 and

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1 560.837, grants and loans under s. 560.83, the grant under 1993 Wisconsin Act 110,
2 section 3, and the loans under 1997 Wisconsin Act 9, section 3.

NOTE: Section 560.033 is repealed by this bill.

3 **SECTION 14.** The treatment of 20.435 (5) (kz) of the statutes by 1999 Wisconsin
4 Act 9 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 20.435 (5) (kz)
reads:

(kz) *Interagency and intra-agency local assistance.* All moneys received from other
state agencies and all moneys received by the department from the department not
directed to be deposited under sub. (6) (k) for local assistance.

5 **SECTION 15.** 20.455 (1) (kt) of the statutes is amended to read:

6 20.455 (1) (kt) *Telecommunications positions.* All moneys received from the
7 public service commission under s. 196.85 (2m), 1997 stats., for services provided by
8 the department of justice relating to telecommunications matters. No moneys may
9 be encumbered from this appropriation after June 30, 1999.

NOTE: Section 196.85 (2m) is repealed by this bill.

10 **SECTION 16.** 20.923 (6) (o) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1999.

11 **SECTION 17.** 23.196 (3) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1999.

12 **SECTION 18.** 23.45 (1) (a) of the statutes, as created by 1999 Wisconsin Act 88,
13 is amended to read:

14 23.45 (1) (a) “Approval” means any type of approval or authorization issued by
15 the department including a license, permit, certificate, card, stamp or tag.

NOTE: Adds necessary comma.

16 **SECTION 19.** 25.156 (2) of the statutes, as affected by 1999 Wisconsin Acts 9 and
17 83, is amended to read:

18 25.156 (2) The board shall employ an executive director, who shall serve
19 outside the classified service. The executive director shall be qualified by training

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1 and prior experience to manage, administer and direct the investment of funds. The
2 board shall fix the compensation of the executive director, and may award bonus
3 compensation.

NOTE: The stricken comma was deleted by 1999 Wis. Act 9, but shown as existing
in 1999 Wis. Act 83.

4 **SECTION 20.** 25.16 (7) of the statutes, as affected by 1999 Wisconsin Acts 9 and
5 83, is amended to read:

6 25.16 (7) The executive director shall fix the compensation of all employes
7 appointed by the executive director, subject to restrictions set forth in the
8 compensation plan under s. 230.12 or any applicable collective bargaining
9 agreement in the case of employes in the classified service, but the board may provide
10 for bonus compensation to employes in the unclassified service.

NOTE: The stricken comma was deleted by 1999 Wis. Act 9, but shown as existing
in 1999 Wis. Act 83.

11 **SECTION 21.** 25.165 (1) of the statutes, as affected by 1999 Wisconsin Acts 9 and
12 83, is amended to read:

13 25.165 (1) There is created in the board an internal audit subunit, under the
14 supervision of the internal auditor. The internal auditor shall report directly to the
15 board and, subject to authorization under s. 16.505, shall appoint all employes
16 necessary to carry out the duties of the internal auditor. The internal auditor shall
17 appoint all employes outside the classified service, except blue collar and clerical
18 employes. The internal auditor shall fix the compensation of all employes appointed
19 by the internal auditor, subject to restrictions set forth in the compensation plan
20 under s. 230.12 or any applicable collective bargaining agreement in the case of
21 employes in the classified service, but the board may provide for bonus compensation
22 to employes in the unclassified service.

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NOTE: The stricken comma was deleted by 1999 Wis. Act 9, but shown as existing in 1999 Wis. Act 83.

1 **SECTION 22.** The treatment of 29.184 (6) (c) 1r. of the statutes by 1999 Wisconsin
2 Act 9, section 726L, is not repealed by 1999 Wisconsin Act 32, section 44. Both
3 treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 29.184 (6) (c) 1r. reads:

1r. The department shall issue a notice of approval to those qualified applicants selected to receive a Class A bear license. A person who receives a notice of approval and who pays the fees required for the license shall be issued the license subject to s. 29.024 (2g).

4 **SECTION 23.** The treatment of 29.563 (3) (a) 9. of the statutes by 1999 Wisconsin
5 Act 32 is not repealed by 1999 Wisconsin Act 47. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 29.563 (3) (a) 9. reads:

9. Annual fishing license issued to a disabled veteran under s. 29.193 (3) (c): \$2.25.

6 **SECTION 24.** The treatment of 29.936 (1) of the statutes by 1999 Wisconsin Act
7 9 is not repealed by 1999 Wisconsin Act 32, section 34. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 29.936 (1) reads:

(1) Notwithstanding s. 29.934, the department may distribute for free carcasses from fish and game seized or confiscated under s. 29.931 that are suitable for eating to food distribution services. The department may have the fish or game that is seized or confiscated processed before distributing that fish or game to food distribution services. The department may collect the costs of the processing of the fish or game from the person from whom the fish and game was seized or confiscated.

8 **SECTION 25.** 32.05 (1) (a) of the statutes, as affected by 1999 Wisconsin Acts 32
9 and 65, is amended to read:

10 32.05 (1) (a) Except as provided under par. (b), a county board of supervisors
11 or a county highway committee when so authorized by the county board of
12 supervisors, a city council, a village board, a town board, a sewerage commission
13 governing a metropolitan sewerage district created by ss. 66.22 or 66.88 to 66.918,
14 the secretary of transportation, a commission created by contract under s. 66.30, a
15 joint local water authority created by contract under s. 66.0735, a housing authority

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1 under ss. 66.40 to 66.404, a local exposition district created under subch. II of ch. 229,
2 a local cultural arts district created under subch. V of ch. 229, a redevelopment
3 authority under s. 66.431 or a community development authority under s. 66.4325
4 shall make an order providing for the laying out, relocation and improvement of the
5 public highway, street, alley, storm and sanitary sewers, watercourses, water
6 transmission and distribution facilities, mass transit facilities, airport, or other
7 transportation facilities, gas or leachate extraction systems to remedy
8 environmental pollution from a solid waste disposal facility, housing project,
9 redevelopment project, cultural arts facilities, exposition center or exposition center
10 facilities which shall be known as the relocation order. This order shall include a map
11 or plat showing the old and new locations and the lands and interests required. A
12 copy of the order shall, within 20 days after its issue, be filed with the county clerk
13 of the county wherein the lands are located or, in lieu of filing a copy of the order, a
14 plat may be filed or recorded in accordance with s. 84.095.

NOTE: Inserts article consistent with the remainder of the provision.

15 **SECTION 26.** 36.27 (1) (a) of the statutes, as affected by 1999 Wisconsin Acts 9
16 and (Assembly Bill 432), is amended to read:

17 36.27 (1) (a) Subject to pars. (am), (b) and (c), the board may establish for
18 different classes of students differing tuition and fees incidental to enrollment in
19 educational programs or use of facilities in the system. Except as otherwise provided
20 in this section, the board may charge any student who is not exempted by this section
21 a nonresident tuition. The board may establish special rates of tuition and fees for
22 the extension and summer sessions and such other studies or courses of instruction
23 as the board deems advisable.

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NOTE: Inserts comma required by the merger of the treatments of this provision by 1999 Wis. Acts 9 and (ab 432).

1 **SECTION 27.** 45.365 (1) (am) of the statutes, as created by 1999 Wisconsin Act
2 63, is amended to read:

3 45.365 **(1)** (am) The department shall operate the home, and employ a
4 commandant and the officers, nurses, attendants and other personnel necessary for
5 the proper conduct of the home. In compliance with the compensation plan
6 established pursuant to s. 230.12 (3), the commandant may recommend to the
7 director of personnel charges for meals, living quarters, laundry and other services
8 furnished to employes and members of the employes' family maintained at the home.
9 Complete personal maintenance and medical care to include programs and facilities
10 ~~which~~ that promote comfort, recreation, well-being or rehabilitation shall be
11 furnished to all members of the home under the policy of the department.

NOTE: Replaces "which" with "that" to correct grammar.

12 **SECTION 28.** The treatment of 45.37 (4) (c) 1m. c. of the statutes by 1999
13 Wisconsin Act 63, section 36, is not repealed by 1999 Wisconsin Act 83, section 89.
14 Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 45.37 (4) (c)
1m. c. reads:

c. Surviving spouses of eligible veterans shall be given 3rd priority for admission
to the home.

15 **SECTION 29.** The treatment of 45.37 (4) (c) 1m. d. of the statutes by 1999
16 Wisconsin Act 63, section 36, is not repealed by 1999 Wisconsin Act 83, section 89.
17 Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 45.37 (4) (c)
1m. d. reads:

d. Parents of eligible veterans shall be given 4th priority for admission to the home.

18 **SECTION 30.** 46.705 of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1999.

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1 **SECTION 31.** 48.355 (2) (b) 4m. of the statutes, as created by 1999 Wisconsin Act
2 103, is amended to read:

3 48.355 **(2)** (b) 4m. If the child is placed outside the home and if the child's parent
4 has not already provided a statement of income, assets, debts and living expenses to
5 the county department or, in a county having a population of 500,000 or more, the
6 department under s. 48.30 (6) (b) or (c) or 48.31 (7) (b) or (c), an order for the parent
7 to provide that statement to the county department or, in a county having a
8 population of 500,000 or more, the department by a date specified by the court. The
9 county department or, in a county having a population of 500,000 or more, the
10 department shall provide, without charge, to the parent a form on which to provide
11 that statement, and the parent shall provide that statement on that form. The
12 county department or, in a county having a population of 500,000 or more, the
13 department shall use the information provided in the statement to determine
14 whether the department may claim federal foster care and adoption assistance
15 reimbursement under 42 USC 670 to 679a for the cost of providing care for the child.

NOTE: Inserts missing article.

16 **SECTION 32.** 48.685 (2) (b) 1. (intro.) of the statutes, as affected by 1999
17 Wisconsin Acts 9 and 32, is amended to read:

18 48.685 **(2)** (b) 1. (intro.) ~~, and~~ Every entity shall obtain all of the following with
19 respect to a caregiver of the entity:

NOTE: The stricken language was inserted by 1999 Wis. Act 32, but rendered
surplusage by the treatment of this provision by 1999 Wis. Act 9.

20 **SECTION 33.** 48.685 (3) (a) of the statutes, as affected by 1999 Wisconsin Acts
21 9 and 32, is amended to read:

22 48.685 **(3)** (a) Every 4 years or at any time within that period that the
23 department, a county department, a child welfare agency or a school board considers

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1 appropriate, the department, county department, child welfare agency or school
2 board shall request the information specified in sub. (2) (am) 1. to 5. for all persons
3 who are licensed, certified or contracted to operate an entity, for all persons ~~sub. (2)~~
4 who are nonclient residents of an entity and for all persons under 18 years of age, but
5 not under 12 years of age, who are caregivers of a day care center that is licensed
6 under s. 48.65 or established or contracted for under s. 120.13 (4) or of a day care
7 provider that is certified under s. 48.651.

NOTE: The stricken language was inserted by 1999 Wis. Act 32, but rendered surplusage by the treatment of this provision by 1999 Wis. Act 9.

8 **SECTION 34.** The treatment of 48.715 (6) of the statutes by 1999 Wisconsin Act
9 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 48.715 (6) reads:

(6) The department of health and family services shall deny, suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare agency, group home, shelter care facility or day care center, and the department of corrections shall deny, suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) (b) to operate a secured child caring institution, for failure of the applicant or licensee to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or for failure of the applicant or licensee to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action taken under this subsection is subject to review only as provided in the memorandum of understanding entered into under s. 49.857 and not as provided in s. 48.72.

10 **SECTION 35.** The treatment of 49.857 (1) (d) 12. of the statutes by 1999
11 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 31. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 49.857 (1) (d) 12. reads:

12. A license or certificate of registration issued under ss. 138.09, 138.12, 217.06, 218.0101 to 218.0163, 218.02, 218.04, 218.05, 224.72, 224.93 or subch. III of ch. 551.

12 **SECTION 36.** 50.035 (3) (a) of the statutes, as affected by 1999 Wisconsin Acts
13 32 and 103, is amended to read:

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1 50.035 **(3)** (a) The person responsible for managing a Class C
2 community-based residential facility, or that person's agent, shall be present in the
3 facility at any time that residents are in the facility. The person responsible for
4 managing a Class A community-based residential facility, or that person's agent,
5 shall be present in the facility from 7 p.m. to 7 a.m. when residents are in the facility.
6 ~~HFS 83.05~~

NOTE: The stricken language was inserted by 1999 Wis. Act 32 but was rendered
surplusage by the treatment of this provision by 1999 Wis. Act 103.

7 **SECTION 37.** 50.065 (3) (a) of the statutes, as affected by 1999 Wisconsin Acts
8 9 and 32, is amended to read:

9 50.065 **(3)** (a) Every 4 years or at any time within that period that the
10 department considers appropriate, the department shall request the information
11 specified in sub. (2) (am) 1. to 5. for all persons who are licensed to operate an entity
12 and for all persons ~~sub. (2)~~ who are nonclient residents of an entity.

NOTE: The stricken language was inserted by 1999 Wis. Act 32, but rendered
surplusage by the treatment of this provision by 1999 Wis. Act 9.

13 **SECTION 38.** 66.0201 (2) (b) of the statutes, as affected by 1999 Wisconsin Act
14 (Assembly Bill 710), section 33, is renumbered 66.0201 (2) (dm).

NOTE: Moves definition to place it in alphabetical order consistent with current
style.

15 **SECTION 39.** 66.0201 (2) (e) of the statutes, as affected by 1999 Wisconsin Act
16 (Assembly Bill 710), section 33, is renumbered 66.0201 (2) (bm).

NOTE: Moves definition to place it in alphabetical order consistent with current
style.

17 **SECTION 40.** 66.0203 (2) (c) of the statutes, as affected by 1999 Wisconsin Act
18 (Assembly Bill 710), section 36, is amended to read:

19 66.0203 **(2)** (c) The petition shall designate a representative of the petitioners,
20 and an alternate, who shall be an elector or freeholder in the territory, and state that

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1 person's address; describe the territory to be incorporated with sufficient accuracy
2 to determine its location and have attached to the petition a scale map reasonably
3 showing the boundaries of the territory; specify the current resident population of
4 the territory by number in accordance with the definition given in s. 66.0201 (2) ~~(b)~~
5 (dm); set forth facts substantially establishing the required standards for
6 incorporation; and request the circuit court to order a referendum and to certify the
7 incorporation of the village or city when it is found that all requirements have been
8 met.

NOTE: Changed cross-reference to accommodate the renumbering of s. 66.0201 (2)
(b). See SECTION 38 of this bill.

9 **SECTION 41.** 66.0225 (title) of the statutes, as affected by 1999 Wisconsin Act
10 (Assembly Bill 710), section 71, is amended to read:

11 **66.0225 (title) Municipal boundaries, fixed by judgment.**

NOTE: 1999 Wis. Act (ab 710) showed the previously existing comma as
underscored when striking was intended.

12 **SECTION 42.** 66.0295 (4) (b) 5. and 6. of the statutes, as created by 1999
13 Wisconsin Act (Assembly Bill 872), are renumbered 66.1001 (4) (b) 5. and 6.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act
(ab 710), section 74, renumbered the remainder of s. 66.0295 to become s. 66.1001.

14 **SECTION 43.** 66.04 (1a) of the statutes, as created by 1999 Wisconsin Act 65, is
15 renumbered 66.0603 (1g).

NOTE: Section 66.04 (1a) contains the definition of "governing board", which is used
in s. 66.0603 (1) (a), as renumbered from s. 66.04 (2) (a) by 1999 Wis. Act (ab 710). This
provision is renumbered to accommodate the placement of the definition as the first
subsection of s. 66.0603 in accordance with current style. See also the next section of this
bill.

16 **SECTION 44.** 66.0603 (1) of the statutes, as affected by 1999 Wisconsin Act 65,
17 sections 16 and 17, and 1999 Wisconsin Act (Assembly Bill 710), section 92, is
18 renumbered 66.0603 (1m). The treatment of of 66.0603 (1m) (a) (intro.), as

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1 renumbered, by 1999 Wisconsin Act 65, is not repealed by Wisconsin Act ...
2 (Assembly Bill 710). Both treatments stand.

NOTE: This provision is renumbered to accommodate the placement by the previous section of this bill of a definition as the first subsection of the section, in accordance with current style. As affected by 1999 Wis. Acts 65 and (ab 710), effective 1-1-01, s. 66.0603 (1m) (a) (intro.) reads:

(a) A county, city, village, town, school district, drainage district, technical college district or other governing board may invest any of its funds not immediately needed in any of the following:

3 **SECTION 45.** The treatment of 66.0621 (1) (a) of the statutes by 1999 Wisconsin
4 Act 65, section 18, is not repealed by 1999 Wisconsin Act ... (Assembly Bill 710),
5 section 175. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0621 (1) (a) reads:

(a) "Municipality" means a city, village, town, county, commission created by contract under s. 66.0301, public inland lake protection and rehabilitation district established under s. 33.23, 33.235 or 33.24, metropolitan sewerage district created under ss. 200.01 to 200.15 and 200.21 to 200.65, town sanitary district under subch. IX of ch. 60, a local professional baseball park district created under subch. III of ch. 229, a local cultural arts district created under subch. V of ch. 229 or a municipal water district or power district under ch. 198 and any other public or quasi-public corporation, officer, board or other public body empowered to borrow money and issue obligations to repay the money and obligations out of revenues. "Municipality" does not include the state or a local exposition district created under subch. II of ch. 229.

6 **SECTION 46.** 66.0821 (2) (a) 1. of the statutes, as affected by 1999 Wisconsin Act
7 32, section 149, and 1999 Wisconsin Act (Assembly Bill 710), section 216, is
8 amended to read:

9 66.0821 (2) (a) 1. In addition to all other methods provided by law, a
10 municipality may construct, acquire or lease, extend or improve any plant and
11 equipment within or without its corporate limits for the collection, transportation,
12 storage, treatment and disposal of sewage or storm water and surface water,
13 including necessary lateral, main and interceptor sewers, and a town, village or city
14 may arrange for the service to be furnished by a metropolitan sewerage district or
15 joint sewerage system. ~~or~~

ASSEMBLY BILL 969**SECTION 46**

NOTE: The stricken language was inserted by 1999 Wis. Act 32, but was rendered surplusage by the treatment of this provision by 1999 Wis. Act (ab 710). 1999 Wisconsin Act (ab 710) also indicated the replacement of “such” that had already been replaced by 1997 Wis. Act 53.

1 **SECTION 47.** 66.0821 (5) (a) of the statutes, as affected by 1999 Wisconsin Act
2 (Assembly Bill 710), section 226, is amended to read:

3 66.0821 (5) (a) If a user of a service complains to the public service commission
4 that rates, rules and practices are unreasonable or unjustly discriminatory, or if a
5 holder of a mortgage or revenue bond or mortgage certificate or other evidence of
6 debt, secured by a mortgage on the sewerage system or any part of the system or
7 pledge of the income of sewerage service charges, complains that rates are
8 inadequate, the public service commission shall investigate the complaint. If there
9 appears to be sufficient cause for the complaint, the commission shall set the matter
10 for a public hearing upon 10 days’ notice to the complainant and the town, village or
11 city. After the hearing, if the public service commission determines that the rates,
12 rules or practices complained of are unreasonable or unjustly discriminatory, it shall
13 determine and by order fix reasonable rates, rules and practices and may make any
14 other order respecting the complaint that is just and reasonable, including, in the
15 case of standby charges imposed under sub. (4) (c), an order that a municipality
16 refund to the user any amount of the standby charges that have been collected if the
17 user has filed a complaint with the public service commission not later than 60 days
18 after receiving the original notice of charge or after receiving a notice of charge that
19 relates to an increased standby charge. The proceedings under this paragraph are
20 governed, to the extent applicable, by ss. 196.26 to 196.40. The commission shall bill
21 any expense of the commission attributable to a proceeding under this paragraph to
22 the town, village or city under s. 196.85 (1).

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NOTE: The underscored language was inserted by 1997 Wis. Act 53, but was inadvertently not included in 1999 Wis. Act (ab 710).

1 **SECTION 48.** 66.0817 (6) of the statutes, as affected by 1999 Wisconsin Act ...
2 (Assembly Bill 710), section 190, is amended to read:
3 66.0817 **(6)** If the municipality has revenue or mortgage bonds outstanding
4 relating to the utility plant and which by their terms may not be redeemed
5 concurrently with the sale or lease transaction, an escrow fund with a domestic bank
6 as trustee may be established for the purpose of holding, administering and
7 distributing that portion of the sales or lease proceeds necessary to cover the
8 payment of the principal, any redemption premium and interest which will accrue
9 on the principal through the earliest retirement date of the bonds. During the period
10 of the escrow arrangement the funds may be invested in securities or other
11 investments as described in s. 66.0603 ~~(4)~~ (1m).

NOTE: Changed cross-reference to accommodate the renumbering of s. 66.0603 (1).
See SECTION 44 of this bill.

12 **SECTION 49.** 66.0823 (5) (q) of the statutes, as affected by 1999 Wisconsin Act
13 (Assembly Bill 710), section 212, is amended to read:
14 66.0823 **(5)** (q) Invest any funds held in reserve or sinking funds, or any funds
15 not required for immediate disbursement, including the proceeds from the sale of any
16 bonds, in such obligations, securities and other investments as the authority deems
17 proper in accordance with s. 66.0603 ~~(4)~~ (1m).

NOTE: Changed cross-reference to accommodate the renumbering of s. 66.0603 (1).
See SECTION 44 of this bill.

18 **SECTION 50.** 66.0901 (5) of the statutes, as affected by 1999 Wisconsin Act ...
19 (Assembly Bill 710), section 331, is amended to read:
20 66.0901 **(5)** CORRECTIONS OF ERRORS IN BIDS. If a person submits a bid or proposal
21 for the performance of public work under any public contract to be let by a

ASSEMBLY BILL 969**SECTION 50**

1 municipality and the bidder claims that a mistake, omission or error has been made
2 in preparing the bid, the bidder shall, before the bids are opened, make known the
3 fact that an error, omission or mistake has been made. If the bidder makes this fact
4 known, the bid shall be returned to the bidder unopened and the bidder may not bid
5 upon the public contract unless it is readvertised and relet upon the
6 readvertisement. If a bidder makes an error, omission or mistake and discovers it
7 after the bids are opened, the bidder shall immediately and without delay give
8 written notice and make known the fact of the mistake, omission or error which has
9 been committed and submit to the municipality clear and satisfactory evidence of the
10 mistake, omission or error and that it was not caused by any careless act or omission
11 on the bidder's part in the exercise of ordinary care in examining the plans or
12 specifications, and in conforming with the provisions of this section. If the discovery
13 and notice of a mistake, omission or error causes a forfeiture, the bidder may not
14 recover the moneys or certified check forfeited as liquidated damages unless it is
15 proven before a court of competent jurisdiction in an action brought for the recovery
16 of the amount forfeited, that in making the mistake, error or omission the bidder was
17 free from carelessness, negligence or inexcusable neglect.

NOTE: The stricken comma was deleted by 1999 Wis. Act (ab 710) without being shown as stricken. The change was intended.

18 **SECTION 51.** The treatment of 66.0903 (3) (am) of the statutes by 1999
19 Wisconsin Act 70, section 2, is not repealed by 1999 Wisconsin Act ... (Assembly Bill
20 710), section 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (3) (am) reads:

(am) A local governmental unit, before making a contract by direct negotiation or soliciting bids on a contract, for the erection, construction, remodeling, repairing or demolition of any project of public works, including a highway, street or bridge construction project, shall apply to the department to determine the prevailing wage rate for each trade or occupation required in the work contemplated. The department shall

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conduct investigations and hold public hearings as necessary to define the trades or occupations that are commonly employed on projects that are subject to this section and to inform itself as to the prevailing wage rates in all areas of the state for those trades or occupations, in order to determine the prevailing wage rate for each trade or occupation. The department shall issue its determination within 30 days after receiving the request and shall file the determination with the requesting local governmental unit.

1 **SECTION 52.** The treatment of 66.0903 (3) (bm) of the statutes by 1999
2 Wisconsin Act 70, section 4, is not repealed by 1999 Wisconsin Act (Assembly Bill
3 710), section 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (3) (bm) reads:

(bm) Any person may request a recalculation of any portion of an initial determination within 30 days after the initial determination date if the person submits evidence with the request showing that the prevailing wage rate for any given trade or occupation included in the initial determination does not represent the prevailing wage rate for that trade or occupation in the area. The evidence shall include wage rate information reflecting work performed by persons working in the contested trade or occupation in the area during the current survey period. The department shall affirm or modify the initial determination within 15 days after the date on which the department receives the request for recalculation.

4 **SECTION 53.** The treatment of 66.0903 (9) (c) of the statutes by 1999 Wisconsin
5 Act 70, section 12, is not repealed by 1999 Wisconsin Act (Assembly Bill 710),
6 section 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (9) (c) reads:

(c) Upon completion of a project and before receiving final payment for his or her work on the project, each contractor shall file with the local governmental unit authorizing the work an affidavit stating that the contractor has complied fully with the requirements of this section and that the contractor has received an affidavit under par. (b) from each of the contractor's agents and subcontractors. A local governmental unit may not authorize a final payment until the affidavit is filed in proper form and order. If a local governmental unit authorizes a final payment before an affidavit is filed in proper form and order or if the department determines, based on the greater weight of the credible evidence, that any person performing the work specified in sub. (4) has been or may have been paid less than the prevailing wage rate or less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor and requests that the local governmental unit withhold all or part of the final payment, but the local governmental unit fails to do so, the local governmental unit is liable for all back wages payable up to the amount of the final payment.

7 **SECTION 54.** The treatment of 66.0903 (10) (a) of the statutes by 1999 Wisconsin
8 Act 70, section 13, is not repealed by 1999 Wisconsin Act (Assembly Bill 710),
9 section 335. Both treatments stand.

ASSEMBLY BILL 969**SECTION 54**

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (10) (a) reads:

(a) Each contractor, subcontractor or contractor's or subcontractor's agent performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person performing the work described in sub. (4) and an accurate record of the number of hours worked by each of those persons and the actual wages paid for the hours worked.

1 **SECTION 55.** The treatment of 66.0903 (10) (b) of the statutes by 1999 Wisconsin
2 Act 70, section 14, is not repealed by 1999 Wisconsin Act (Assembly Bill 710),
3 section 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (10) (b) reads:

(b) The department or the contracting local governmental unit may demand and examine, and every contractor, subcontractor and contractor's or subcontractor's agent shall keep, and furnish upon request by the department or local governmental unit, copies of payrolls and other records and information relating to the wages paid to persons performing the work described in sub. (4) for work to which this section applies. The department may inspect records in the manner provided in ch. 103. Every contractor, subcontractor or agent performing work on a project that is subject to this section is subject to the requirements of ch. 103 relating to the examination of records.

4 **SECTION 56.** The treatment of 66.0903 (11) (a) of the statutes by 1999 Wisconsin
5 Act 70, section 17, is not repealed by 1999 Wisconsin Act (Assembly Bill 710),
6 section 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (11) (a) reads:

(a) Any contractor, subcontractor or contractor's or subcontractor's agent, who fails to pay the prevailing wage rate determined by the department under sub. (3) or who pays less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor, is liable to any affected employe in the amount of his or her unpaid wages or his or her unpaid overtime compensation and in an additional equal amount as liquidated damages. An action to recover the liability may be maintained in any court of competent jurisdiction by any employe for and in behalf of that employe and other employes similarly situated. No employe may be a party plaintiff to the action unless the employe consents in writing to become a party and the consent is filed in the court in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in addition to any judgment awarded to the plaintiff, allow reasonable attorney fees and costs to be paid by the defendant.

7 **SECTION 57.** The treatment of 66.0903 (11) (b) 2. of the statutes by 1999
8 Wisconsin Act 70, section 18, is not repealed by 1999 Wisconsin Act (Assembly Bill
9 710), section 335. Both treatments stand.

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NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (11) (b) 2. reads:

2. Whoever induces any person who seeks to be or is employed on any project that is subject to this section to give up, waive or return any part of the wages to which the person is entitled under the contract governing the project, or who reduces the hourly basic rate of pay normally paid to a person for work on a project that is not subject to this section during a week in which the person works both on a project that is subject to this section and on a project that is not subject to this section, by threat not to employ, by threat of dismissal from employment or by any other means is guilty of an offense under s. 946.15 (1).

1 **SECTION 58.** The treatment of 66.0903 (11) (b) 4. of the statutes by 1999
2 Wisconsin Act 70, section 19, is not repealed by 1999 Wisconsin Act (Assembly Bill
3 710), section 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (11) (b) 4. reads:

4. Whoever induces any person who seeks to be or is employed on any project that is subject to this section to permit any part of the wages to which the person is entitled under the contract governing the project to be deducted from the person's pay is guilty of an offense under s. 946.15 (3), unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

4 **SECTION 59.** The treatment of 66.0903 (12) (a) of the statutes by 1999 Wisconsin
5 Act 70, section 21, is not repealed by 1999 Wisconsin Act (Assembly Bill 710),
6 section 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (12) (a) reads:

(a) Except as provided under pars. (b) and (c), the department shall notify any local governmental unit applying for a determination under sub. (3) and any local governmental unit exempted under sub. (6) of the names of all persons whom the department has found to have failed to pay the prevailing wage rate determined under sub. (3) or has found to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor at any time in the preceding 3 years. The department shall include with each name the address of the person and shall specify when the person failed to pay the prevailing wage rate and when the person paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor. A local governmental unit may not award any contract to the person unless otherwise recommended by the department or unless 3 years have elapsed from the date the department issued its findings or the date of final determination by a court of competent jurisdiction, whichever is later.

7 **SECTION 60.** The treatment of 66.0903 (12) (d) of the statutes by 1999 Wisconsin
8 Act 70, section 23, is not repealed by 1999 Wisconsin Act (Assembly Bill 710),
9 section 335. Both treatments stand.

ASSEMBLY BILL 969**SECTION 60**

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01, s. 66.0903 (12) (d) reads:

(d) Any person submitting a bid or negotiating a contract on a project that is subject to this section shall, on the date the person submits the bid or negotiates the contract, identify any construction business in which the person, or a shareholder, officer or partner of the person, if the person is a business, owns, or has owned at least a 25% interest on the date the person submits the bid or negotiates the contract or at any other time within 3 years preceding the date the person submits the bid or negotiates the contract, if the business has been found to have failed to pay the prevailing wage rate determined under sub. (3) or to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor.

1 **SECTION 61.** The treatment of 66.1011 (1) of the statutes by 1999 Wisconsin Act
2 82, section 23, is not repealed by 1999 Wisconsin Act (Assembly Bill 710), section
3 447. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 66.1011 (1) reads:

(1) **DECLARATION OF POLICY.** The right of all persons to have equal opportunities for housing regardless of their sex, race, color, physical condition, disability as defined in s. 106.50 (1m) (g), sexual orientation as defined in s. 111.32 (13m), religion, national origin, marital status, family status as defined in s. 106.50 (1m) (k), lawful source of income, age or ancestry is a matter both of statewide concern under ss. 101.132 and 106.50 and also of local interest under this section and s. 66.0125. The enactment of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of equal opportunities in housing from consideration by political subdivisions, and does not exempt political subdivisions from their duty, nor deprive them of their right, to enact ordinances which prohibit discrimination in any type of housing solely on the basis of an individual being a member of a protected class.

4 **SECTION 62.** The treatment of 66.1011 (2) of the statutes by 1999 Wisconsin Act
5 82, section 28, is not repealed by 1999 Wisconsin Act (Assembly Bill 710), section
6 447. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 66.1011 (2) reads:

(2) **ANTIDISCRIMINATION HOUSING ORDINANCES.** Political subdivisions may enact ordinances prohibiting discrimination in housing within their respective boundaries solely on the basis of an individual being a member of a protected class. An ordinance may be similar to ss. 101.132 and 106.50 or may be more inclusive in its terms or in respect to the different types of housing subject to its provisions. An ordinance establishing a forfeiture as a penalty for violation may not be for an amount that is less than the statutory forfeitures under s. 106.50 (6) (h). An ordinance may permit a complainant, aggrieved person or respondent to elect to remove the action to circuit court after a finding has been made that there is reasonable cause to believe that a violation of the ordinance has occurred. An ordinance may authorize the political subdivision, at any time after a complaint has been filed alleging an ordinance violation, to file a complaint in circuit court seeking a temporary injunction or restraining order pending final disposition of the complaint.

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1 **SECTION 63.** The treatment of 66.184 of the statutes by 1999 Wisconsin Act 9
2 is not repealed by 1999 Wisconsin Act (Senate Bill 136). Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective on the first day of the 6th month beginning after the publication of 1999 Wis. Act (sb 136), s. 66.184 reads as follows. Section 66.184 is renumbered to s. 66.0137 (4) by 1999 Wis. Act (ab 710), effective January 1, 2001.

66.184 Self-insured health plans. If a city, including a 1st class city, or a village provides health care benefits under its home rule power, or if a town provides health care benefits, to its officers and employes on a self-insured basis, the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (14), 632.896 and 767.25 (4m) (d).

3 **SECTION 64.** The treatment of 73.0301 (1) (d) 6. of the statutes by 1999
4 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 31. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 73.0301 (1) (d) 6. reads:

6. A license or certificate of registration issued by the department of financial institutions, or a division of it, under ss. 138.09, 138.12, 217.06, 218.0101 to 218.0163, 218.02, 218.04, 218.05, 224.72, 224.93 or under subch. III of ch. 551.

5 **SECTION 65.** The treatment of 77.995 (2) of the statutes by 1999 Wisconsin Act
6 80, section 2, is not repealed by 1999 Wisconsin Act 83, section 131. Both treatments
7 stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 66.1011 (2) reads:

(2) There is imposed a fee at the rate of 3%, or 5% for the rental of limousines, of the gross receipts on the rental, but not for rental and not for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged in short-term rental of vehicles without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a).

8 **SECTION 66.** 84.09 (4) of the statutes, as affected by 1999 Wisconsin Act 83, is
9 amended to read:

10 **84.09 (4)** The cost of the lands and interests acquired and damages allowed
11 pursuant to this section, expenses incidental thereto, expenses of the county
12 highway committee incurred in performing duties under this section and the county

ASSEMBLY BILL 969**SECTION 66**

1 highway committee's customary per diem, or a per diem not to exceed the lawful rate
2 permitted for members of county boards if the highway committee members receive
3 an annual salary, are paid out of the available improvement or maintenance funds.
4 Members of a highway committee who receive an annual salary shall be entitled to
5 the per diem paid, as compensation for their services, in addition to their annual
6 salary fixed pursuant to s. 59.10 (3) (i).

NOTE: The underscored text was inserted by 1999 Wis. Act 83 without being shown
as underscored. The change was intended.

7 **SECTION 67.** 84.61 of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1999.

8 **SECTION 68.** 93.06 (1f) of the statutes is amended to read:

9 93.06 (1f) ANIMAL HEALTH INSPECTION AND TESTING. Perform animal health
10 inspections and tests and examine animal health documentation at the state fair, the
11 world dairy expo, inc., the world beef expo, the midwest horse show fair and other
12 livestock exhibitions held in this state and attended by participants from outside of
13 this state, as specified by the department by rule. The department may charge a fee
14 to the sponsor of the exhibition to cover the reasonable costs of the department's
15 inspection and testing services whether or not the sponsor requests the services.
16 This subsection does not apply to county fairs or other local livestock exhibitions.

NOTE: Corrects name.

17 **SECTION 69.** 101.14 (4) (b) 3. of the statutes, as created by 1999 Wisconsin Act
18 43, is amended to read:

19 101.14 (4) (b) 3. The rules of the department shall require every residence hall
20 and dormitory over 60 feet in height, the initial construction of which was begun
21 before April 26, 2000, that is owned or operated by the board of regents of the
22 University of Wisconsin System to contain an automatic fire sprinkler system on

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1 each floor by January 1, 2006. Notwithstanding par. (c) 1., the rules of the
2 department shall further require every residence hall and dormitory, the initial
3 construction of which is begun on or after April 26, 2000, that is owned or operated
4 by the board of regents of the University of Wisconsin System to have an automatic
5 fire sprinkler system installed on each floor at the time the residence hall or
6 dormitory is constructed.

NOTE: Inserts commas to correct grammar.

7 **SECTION 70.** 101.952 (5) of the statutes, as affected by 1999 Wisconsin Act 53,
8 is amended to read:

9 101.952 (5) The provision of s. ~~218.01 (3)~~ 218.0116 relating to the denial,
10 suspension and revocation of a motor vehicle salesperson's license shall apply to the
11 denial, suspension and revocation of a manufactured home salesperson's license so
12 far as applicable, except that such provision does not apply to the denial, suspension
13 or revocation of a license under s. 101.02 (21) (b).

NOTE: Section 218.01 (3) was renumbered to s. 218.0116 by 1999 Wis. Act 31.

14 **SECTION 71.** 101.952 (6) of the statutes, as affected by 1999 Wisconsin Act 53,
15 is amended to read:

16 101.952 (6) The provisions of s. ~~218.01 (3) (g) and (5)~~ ss. 218.0116 (9) and
17 218.0152 shall apply to this section, manufactured home sales practices and the
18 regulation of manufactured home salespersons, as far as applicable.

NOTE: Sections 218.01 (3) (g) and (5) were renumbered to ss. 218.0116 (9) and
218.0152 by 1999 Wis. Act 31.

19 **SECTION 72.** 106.52 (10) (d) (title) of the statutes, as affected by 1999 Wisconsin
20 Act 82, section 85, is renumbered 106.52 (4) (d) (title).

NOTE: 1999 Wis. Act 82 renumbered s. 106.04 (10) (d) (title) to be s. 106.52 (10) (d)
(title). The remainder of s. 106.04 (10) was renumbered to s. 106.52 (4).

ASSEMBLY BILL 969**SECTION 73**

1 **SECTION 73.** The treatment of 108.05 (3) (a) of the statutes by 1999 Wisconsin
2 Act 15 is not repealed by 1999 Wisconsin Act 56. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 11-1-00, s. 108.05 (3) (a) reads:

(a) Except as provided in pars. (b) and (c), if an eligible employee earns wages in a given week, the first \$30 of the wages shall be disregarded and the employee's applicable weekly benefit payment shall be reduced by 67% of the remaining amount, except that no such employee is eligible for benefits if the employee's benefit payment would be less than \$5 for any week. For purposes of this paragraph, "wages" includes any salary reduction amounts earned that are not wages and that are deducted from the salary of a claimant by an employer pursuant to a salary reduction agreement under a cafeteria plan, within the meaning of 26 USC 125, and any amount that a claimant would have earned in available work which is treated as wages under s. 108.04 (1) (a), but excludes any amount that a claimant earns for services performed as a volunteer fire fighter, volunteer emergency medical technician or volunteer first responder. In applying this paragraph, the department shall disregard discrepancies of less than \$2 between wages reported by employees and employers.

3 **SECTION 74.** 110.10 (intro.) of the statutes, as created by 1999 Wisconsin Act
4 (Senate Bill 125), is amended to read:

5 **110.10 Ignition interlock device program.** (intro.) The department shall
6 promulgate rules providing for the implementation of an ignition interlock device
7 program that will be conveniently available to persons throughout this state. The
8 rules shall include provisions regarding all of the following:

NOTE: Inserts missing article.

9 **SECTION 75.** 115.28 (24) of the statutes, as affected by 1999 Wisconsin Act 9,
10 section 2040d, and 1999 Wisconsin Act 32, is amended to read:

11 **115.28 (24) PRIORITY IN AWARDING GRANTS.** Give priority in awarding grants to
12 ~~local community organizations under sub. (21) and~~ to school boards under ss. 115.36
13 and 115.361, and in awarding grants from federal funds received under 20 USC 2301
14 to 2471, 20 USC 4601 to 4665 and 29 USC 2862 (b) (1) (B), to programs that provide
15 more than one of the educational services specified under s. 115.36, 115.361, 115.915,
16 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471, 20 USC 4601 to 4665 or 29
17 USC 2862 (b) (1) (B).

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NOTE: Section 115.28 (21) was repealed by 1999 Wis. Act 32.

1 **SECTION 76.** The treatment of 118.30 (2) (b) 1. of the statutes by 1999 Wisconsin
2 Act 9 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 118.30 (2) (b)
1. reads:

1. If a pupil is enrolled in a special education program under subch. V of ch. 115,
the school board or operator of the charter school under s. 118.40 (2r) shall comply with
s. 115.77 (1m) (bg).

3 **SECTION 77.** The treatment of 119.04 (1) of the statutes by 1999 Wisconsin Act
4 9 is not repealed by 1999 Wisconsin Act 73. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 119.04 (1)
reads:

(1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and
(2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001
to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15,
118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f),
(6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55,
120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34),
(35) and (37) and 120.14 are applicable to a 1st class city school district and board.

5 **SECTION 78.** The treatment of 119.04 (1) of the statutes by 1999 Wisconsin Acts
6 9 and 73 is not repealed by 1999 Wisconsin Act (Senate Bill 710). All treatments
7 stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 1-1-01,
s. 119.04 (1) reads:

(1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and
(2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001
to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15,
118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f),
(6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55,
120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34),
(35) and (37), 120.14 and 120.25 are applicable to a 1st class city school district and board.

8 **SECTION 79.** 119.25 (2) (d) 6. of the statutes, as created by 1999 Wisconsin Act
9 (Assembly Bill 447), is amended to read:

10 119.25 (2) (d) 6. Within 5 school days after the revocation of a pupil's early
11 reinstatement under subd. 4., the pupil or, if the pupil is a minor, the pupil's parent
12 or guardian may request a conference with the superintendent of schools or his or

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1 her designee, who shall be someone other than a principal, administrator or teacher
2 in the pupil's school. If a conference is requested, it shall be held within 5 school days
3 following the request. If, after the conference, the superintendent of schools or his
4 or her designee finds that the pupil did not violate an early reinstatement condition
5 or that the revocation was inappropriate, the pupil shall be reinstated to school
6 under the same reinstatement conditions as in the expulsion order and the early
7 reinstatement revocation shall be expunged from the pupil's record. If the
8 superintendent of schools or his or her designee finds that the pupil violated an early
9 reinstatement condition and that the revocation was appropriate, he or she shall
10 mail separate copies of the decision to the pupil and, if the pupil is a minor, to the
11 pupil's parent or guardian. The decision of the superintendent of schools or his or
12 her designee is final.

NOTE: Inserts missing pronoun consistent with the remainder of the subdivision.

13 **SECTION 80.** 120.13 (1) (b) 2m. of the statutes, as affected by 1999 Wisconsin
14 Acts 9 and 83, is amended to read:

15 120.13 (1) (b) 2m. In subdivision 2. c. and d., conduct that endangers a person
16 or property includes making a threat to the health or safety of a person or making
17 a threat to damage a property.

NOTE: The underscored language was inserted by 1999 Wis. Act 83 without being shown as underscored. The change was intended.

18 **SECTION 81.** The treatment of 120.13 (2) (g) of the statutes by 1999 Wisconsin
19 Act 9 is not repealed by 1999 Wisconsin Act (Senate Bill 136). Both treatments
20 stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 120.13 (2) (g) reads:

(g) Every self-insured plan under par. (b) shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (14), 632.896 and 767.25 (4m) (d).

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1 **SECTION 82.** 120.25 (5) of the statutes, as affected by 1999 Wisconsin Act ...
2 (Assembly Bill 710), section 357, is amended to read:

3 120.25 (5) At least 30 days prior to entering into a contract under this section
4 or a modification or extension of the contract, the school boards of the districts
5 involved or their designated agent shall file the proposed agreement with the state
6 superintendent to enable the department state superintendent or state
7 superintendent's designee to assist and advise the school boards involved in regard
8 to the applicable recognized accounting procedure for the administration of the
9 school aid programs. The state superintendent shall review the terms of the
10 proposed contract to ensure that each participating district's interests are protected.

NOTE: The stricken language was inserted without being shown as underscored
and the underscored language was deleted without being shown as stricken by 1999 Wis.
Act (ab 710). No change was intended.

11 **SECTION 83.** The treatment of 121.90 (2) (intro.) of the statutes by 1999
12 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 121.90 (2)
(intro.) reads:

(2) "State aid" means aid under ss. 121.08, 121.09 and 121.105 and subch. VI, as
calculated for the current school year on October 15 under s. 121.15 (4) and including
adjustments made under s. 121.15 (4), and amounts under s. 79.095 (4) for the current
school year, except that "state aid" excludes all of the following:

13 **SECTION 84.** 146.997 (1) (c) of the statutes, as created by 1999 Wisconsin Act
14 (Senate Bill 172), is amended to read:

15 146.997 (1) (c) "Health care facility" means a facility, as defined in s. 647.01 (4),
16 or any hospital, nursing home, community-based residential facility, county home,
17 county infirmary, county hospital, county mental health complex, ~~tuberculosis~~
18 ~~sanatorium~~ or other place licensed or approved by the department of health and
19 family services under s. 49.70, 49.71, 49.72, 50.03, 50.35, 51.08, or 51.09, ~~58.06,~~

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1 ~~252.073 or 252.076~~ or a facility under s. 45.365, 51.05, 51.06, 233.40, 233.41, 233.42
2 or 252.10.

NOTE: 1999 Wis. Act 9 repealed ss. 58.06, 252.073 and 252.076 and removed all references to tuberculosis sanitoriums from the statutes.

3 **SECTION 85.** 153.60 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
4 amended to read:

5 153.60 (1) The department shall, by the first October 1 after the
6 commencement of each fiscal year, estimate the total amount of expenditures under
7 this chapter for the department and the board for that fiscal year for data collection,
8 data base development and maintenance, generation of data files and standard
9 reports, orientation and training provided under s. 153.05 (9) and maintaining the
10 board. The department shall assess the estimated total amount for that fiscal year
11 less the estimated total amount to be received for purposes of administration of this
12 chapter under s. 20.435 (4) (hi) during the fiscal year, the unencumbered balance of
13 the amount received for purposes of administration of this chapter under s. 20.435
14 (4) (hi) from the prior fiscal year and the amount in the appropriation account under
15 s. 20.435 (1) (dg), 1997 stats., for the fiscal year, to health care providers who are in
16 a class of health care providers from whom the department collects data under this
17 chapter in a manner specified by the department by rule. The department shall
18 obtain approval from the board for the amounts of assessments for health care
19 providers other than hospitals and ambulatory surgery centers. The department
20 shall work together with the department of regulation and licensing to develop a
21 mechanism for collecting assessments from health care providers other than
22 hospitals and ambulatory surgery centers. No health care provider that is not a
23 facility may be assessed under this subsection an amount that exceeds \$75 per fiscal

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1 year. Each hospital shall pay the assessment on or before December 1. All payments
2 of assessments shall be deposited in the appropriation under s. 20.435 (4) (hg).

NOTE: Section 20.435 (1) (dg) was repealed effective 7-1-99 by 1997 Wis. Act 237.

3 **SECTION 86.** The treatment of 196.26 (1m) of the statutes by 1999 Wisconsin Act
4 32 is not repealed by 1999 Wisconsin Act 53. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 196.26 (1m)
reads:

(1m) INVESTIGATION OF COMPLAINT. If any mercantile, agricultural or
manufacturing society, body politic, municipal organization or 25 persons file a complaint
specified in sub. (1) (a) against a public utility, or if the commission terminates a
proceeding on a complaint under s. 196.199 (3) (a) 1m. b., or if a person files a complaint
specified in sub. (1) (c), the commission, with or without notice, may investigate the
complaint under this section as it considers necessary. If the mobile home park occupants
of 25% of the total number of mobile homes in a mobile home park or the mobile home park
occupants of 25 mobile homes in a mobile home park, whichever is less, files a complaint
specified in sub. (1) (a) against a mobile home park contractor or mobile home park
operator, the commission, with or without notice, may investigate the complaint as it
considers necessary. The commission may not issue an order based on an investigation
under this subsection without a public hearing.

5 **SECTION 87.** 196.85 (2m) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1999.

6 **SECTION 88.** 196.85 (3) of the statutes, as affected by 1999 Wisconsin Act 32,
7 is amended to read:

8 196.85 **(3)** If any public utility, sewerage system, joint local water authority,
9 mobile home park operator or power district is billed under sub. (1), (2), (2e) or (2g)
10 and fails to pay the bill within 30 days or fails to file objections to the bill with the
11 commission, as provided in this subsection, the commission shall transmit to the
12 state treasurer a certified copy of the bill, together with notice of failure to pay the
13 bill, and on the same day the commission shall mail by registered mail to the public
14 utility, sewerage system, joint local water authority, mobile home park operator or
15 power district a copy of the notice which it has transmitted to the state treasurer.
16 Within 10 days after the receipt of the notice and certified copy of the bill, the state

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1 treasurer shall levy the amount stated on the bill to be due, with interest, by distress
2 and sale of any property, including stocks, securities, bank accounts, evidences of
3 debt, and accounts receivable belonging to the delinquent public utility, sewerage
4 system, joint local water authority, mobile home park operator or power district. The
5 levy by distress and sale shall be governed by s. 74.10, 1985 stats., except that it shall
6 be made by the state treasurer and that goods and chattels anywhere within the state
7 may be levied upon.

NOTE: 1999 Wis. Act 32 inserted the underscored language without showing it as
underscored and deleted the stricken language without showing it as stricken. The
changes were intended.

8 **SECTION 89.** 218.01 (2) (ie) 3. of the statutes, as created by 1999 Wisconsin Act
9 9, section 2341j, is renumbered 218.0114 (21e) (c) and amended to read:

10 218.0114 **(21e)** (c) If an applicant for the issuance or renewal of a license
11 described in ~~par. (d)~~ sub. (14) is an individual who does not have a social security
12 number, the applicant, as a condition of applying for or applying to renew the license,
13 shall submit a statement made or subscribed under oath or affirmation to the
14 licensor that the applicant does not have a social security number. The form of the
15 statement shall be prescribed by the department of workforce development. Any
16 license issued or renewed in reliance upon a false statement submitted by an
17 applicant under this ~~subdivision~~ paragraph is invalid.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). The remainder
of s. 218.01 (2) (ie) was renumbered to s. 218.0114 (21e) by 1999 Wis. Act 31. Inserts
correct cross-reference.

18 **SECTION 90.** 218.01 (2) (L) of the statutes, as created by 1999 Wisconsin Act 9,
19 is renumbered 218.0114 (24) and amended to read:

20 218.0114 **(24)** (a) Words and phrases defined in ~~sub. (2e)~~ (am) s. 218.0121 (1m)
21 have the same meaning in this ~~paragraph~~ subsection.

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1 (b) The department may not issue a dealer license under ~~this section ss.~~
2 218.0101 to 218.0163, unless the department has determined that no factory will
3 hold an ownership interest in or operate or control the dealership or that one of the
4 exceptions under ~~sub. (2c) (cm) s. 218.0121 (3m)~~ applies.

5 (c) If the applicant asserts that ~~sub. (2c) (cm) 2. s. 218.0121 (3m) (b)~~ applies, the
6 department shall require the applicant to provide a copy of the written agreement
7 described in ~~sub. (2c) (cm) 2. d. s. 218.0121 (3m) (b) 4.~~ for examination by the
8 department to ensure that the agreement meets the requirements of ~~sub. (2c) (cm)~~
9 2 s. 218.0121 (3m) (b).

10 (d) If the division of hearings and appeals determines, after a hearing on the
11 matter at the request of the department or any licensee, that a factory holds an
12 ownership interest in a dealership or operates or controls a dealership in violation
13 of ~~sub. (2c) s. 218.0121~~ the division shall order the denial or revocation of the
14 dealership's license.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and inserts
correct cross-references. 1999 Wis. Act 31 renumbered s. 218.01 (2) to s. 218.0114 and
s. 218.01 (2c) to s. 218.0121.

15 **SECTION 91.** 218.0114 (21e) (a) of the statutes, as affected by 1999 Wisconsin
16 Act 9, section 2341h, 1999 Wisconsin Act 31, section 101, and 1999 Wisconsin Act 32,
17 section 242, is amended to read:

18 218.0114 **(21e)** (a) In addition to any other information required under this
19 section and except as provided in ~~subd. 3. par. (c)~~, an application by an individual for
20 the issuance or renewal of a license described in sub. (14) shall include the
21 individual's social security number and an application by a person who is not an
22 individual for the issuance or renewal of a license described in sub. (14) (a), (b), (c)
23 or (e) shall include the person's federal employer identification number. The licensor

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1 may not disclose any information received under this paragraph to any person except
2 the department of workforce development for purposes of administering s. 49.22 or
3 the department of revenue for the sole purpose of requesting certifications under s.
4 73.0301.

NOTE: Inserts correct cross-reference.

5 **SECTION 92.** 218.0114 (21g) (a) (intro.) of the statutes, as affected by 1999
6 Wisconsin Act 9, section 2341L, and 1999 Wisconsin Act 31, section 102, is amended
7 to read:

8 218.0114 **(21g)** (a) (intro.) In addition to any other information required under
9 this section and except as provided in ~~subd. 3.~~ par. (c), an application for a license
10 described in sub. (16) shall include the following:

NOTE: Inserts correct cross-reference.

11 **SECTION 93.** The treatment of 218.0114 (21g) (b) 2. of the statutes by 1999
12 Wisconsin Act 31, section 102, is not repealed by 1999 Wisconsin Act 32, section 243.
13 Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 218.0114 (21g)
(b) 2. reads:

2. The licensor may disclose information under par. (a) 1. to the department of
workforce development in accordance with a memorandum of understanding under s.
49.857.

14 **SECTION 94.** 218.0114 (21g) (c) of the statutes, as affected by 1999 Wisconsin
15 Act 9, section 2341n, and 1999 Wisconsin Act 31, section 102, is amended to read:

16 218.0114 **(21g)** (c) If an applicant for the issuance or renewal of a license
17 described in ~~par. (d)~~ sub. (16) is an individual who does not have a social security
18 number, the applicant, as a condition of applying for or applying to renew the license,
19 shall submit a statement made or subscribed under oath or affirmation to the
20 licensor that the applicant does not have a social security number. The form of the

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1 statement shall be prescribed by the department of workforce development. Any
2 license issued or renewed in reliance upon a false statement submitted by an
3 applicant under this ~~subdivision~~ paragraph is invalid.

NOTE: Inserts correct cross-references.

4 **SECTION 95.** 218.0116 (1g) (b) of the statutes, as affected by 1999 Wisconsin Act
5 31, section 169, and 1999 Wisconsin Act 32, section 244, is amended to read:

6 218.0116 **(1g)** (b) A license described in ~~sub. (2)~~ s. 218.0114 (14) (a), (b), (c) or
7 (e) shall be suspended or revoked if the department of revenue certifies under s.
8 73.0301 that the applicant or licensee is liable for delinquent taxes.

NOTE: The stricken text was inserted by 1999 Wis. Act 32, but was rendered
surplusage by the treatment of this provision by 1999 Wis. Act 31.

9 **SECTION 96.** The treatment of 218.0116 (1m) (a) 1. of the statutes by 1999
10 Wisconsin Act 9, section 2342ap, is not repealed by 1999 Wisconsin Act 31, section
11 170. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 218.0116 (1m)
(a) 1. reads:

1. The applicant fails to provide any information required under s. 218.0114 (21g)
(a).

12 **SECTION 97.** 218.0121 (1m) (intro.), (b) and (d), (2m) and (3m) (a), (b) 5. and (c)
13 of the statutes, as affected by 1999 Wisconsin Act 9, sections 2342abf to 2342 abv, and
14 1999 Wisconsin Act 31, section 110, are amended to read:

15 218.0121 **(1m)** (intro.) In this ~~subsection~~ section:

16 (b) “Control” means the possession, direct or indirect, of the power to direct or
17 cause the direction of the management or policies of a person, whether through the
18 ownership of voting securities, by contract or otherwise. “Control” does not include
19 the relationship between a factory and a dealership under a basic agreement filed
20 under ~~sub. (2) (bd) 1~~ s. 218.0114 (7) (a) 1.

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1 (d) “Dealership” means a person licensed or required to be licensed as a motor
2 vehicle dealer under ~~this section~~ ss. 218.0101 to 218.0163.

3 ~~(2m) A of a manufacturer, importer or distributor~~ factory shall not, directly or
4 indirectly, hold an ownership interest in or operate or control a motor vehicle
5 dealership in this state.

6 ~~(3m) (a) of a manufacturer, importer or distributor~~ A factory from holding an
7 ownership interest in or operating a dealership for a temporary period, not to exceed
8 one year, during the transition from one owner or dealer operator to another.

9 (b) 5. The written agreement described in subd. ~~2. d.~~ 4. provides that the dealer
10 operator will make reasonable progress toward acquiring all of the ownership
11 interest in the dealership, and the dealer is making reasonable progress toward
12 acquiring all of the ownership interest in the dealership.

13 (c) The ownership, operation or control of a dealership by a ~~of a manufacturer,~~
14 ~~importer or distributor~~ factory that does not meet the conditions under ~~subds. 1. or~~
15 ~~2. sub. (1) or (2) par. (a) or (b)~~, if the division of hearings and appeals determines,
16 after a hearing on the matter at the request of any party, that there is no prospective
17 independent dealer available to own and operate the dealership in a manner
18 consistent with the public interest and that meets the reasonable standard and
19 uniformly applied qualifications of the factory.

NOTE: Inserts correct cross references and deletes text inserted by 1999 Wis. Act
31 that was rendered surplusage by the treatment of this provision by 1999 Wis. Act 9.

20 **SECTION 98.** The treatment of 218.0121 (3m) (intro.) of the statutes by 1999
21 Wisconsin Act 9, section 2342abf, is not repealed by 1999 Wisconsin Act 31, section
22 110. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 218.0121 (3m)
(intro.) reads:

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(3m) This section does not prohibit any of the following:

1 **SECTION 99.** The treatment of 218.11 (2) (am) 3. of the statutes by 1999
2 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 218.11 (2) (am)
3. reads:

3. The department of commerce may not disclose any information received under
subd. 1. to any person except to the department of workforce development for purposes
of administering s. 49.22 or to the department of revenue for the sole purpose of
requesting certifications under s. 73.0301.

3 **SECTION 100.** The treatment of 218.12 (5) of the statutes by 1999 Wisconsin Act
4 9 is not repealed by 1999 Wisconsin Act 31. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 218.12 (5)
reads, effective 7-1-00:

(5) The provision of s. 218.0116 relating to the denial, suspension and revocation
of a motor vehicle salesperson's license shall apply to the denial, suspension and
revocation of a salesperson's license so far as applicable, except that such provision does
not apply to the denial, suspension or revocation of a license under sub. (3m).

5 **SECTION 101.** The treatment of 218.12 (6) of the statutes by 1999 Wisconsin Act
6 9 is not repealed by 1999 Wisconsin Act 31. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 218.12 (6)
reads, effective 7-1-00:

(6) The provisions of ss. 218.0116 (9) and 218.0152 shall apply to this section,
recreational vehicle sales practices and the regulation of recreational vehicle
salespersons, as far as applicable.

7 **SECTION 102.** The treatment of 227.43 (1) (bg) of the statutes by 1999 Wisconsin
8 Act 9 is not repealed by 1999 Wisconsin Act 31. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 227.43 (1) (bg)
reads:

(bg) Assign a hearing examiner to preside over any hearing or review under ss.
84.30 (18), 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16 (5), 86.195 (9) (b), 86.32 (1), 101.935
(2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b), 114.135 (9), 114.20 (19), 175.05 (4) (b),
194.145 (1), 194.46, 218.0114 (7) (d) and (12) (b), 218.0116 (2), (4), (7) (a), (8) (a) and (10),
218.0131 (3), 218.11 (7) (a) and (b), 218.22 (4) (a) and (b), 218.32 (4) (a) and (b), 218.41 (4),
218.51 (5) (a) and (b), 341.09 (2m) (d), 342.26, 343.69 and 348.25 (9).

9 **SECTION 103.** 229.841 (1) of the statutes, as created by 1999 Wisconsin Act 65,
10 is amended to read:

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1 229.841 **(1)** “Bond” means any bond, note or other obligation issued under s.
2 ~~66.066~~ 66.0621 by a district.

 NOTE: Inserts correct cross-reference. Section 66.066 was renumbered to s.
66.0621 by 1999 Wis. Act (ab 710).

3 **SECTION 104.** 229.844 (4) (c) 2., (5), (6) and (8) (a) of the statutes, as created by
4 1999 Wisconsin Act 65, are amended to read:

5 229.844 **(4)** (c) 2. If the district’s sponsoring city is a 1st class city, request the
6 1st class city’s redevelopment authority, created under s. ~~66.431~~ 66.1333 (3) (a) 3.,
7 to condemn property on behalf of the district.

8 **(5)** Employ personnel, and fix and regulate their compensation; and provide,
9 either directly or subject to an agreement under s. ~~66.30~~ 66.0301 as a participant in
10 a benefit plan of another governmental entity, other than a benefit plan provided
11 under ch. 40, any employe benefits, including an employe pension plan.

12 **(6)** Purchase insurance, establish and administer a plan of self-insurance or,
13 subject to an agreement with another governmental entity under s. ~~66.30~~ 66.0301,
14 participate in a governmental plan of insurance or self-insurance, other than a plan
15 provided under ch. 40.

16 **(8)** (a) Issue revenue bonds under s. ~~66.066~~ 66.0621, subject to ss. 229.849 to
17 229.853, and enter into agreements related to the issuance of bonds by the district
18 or, for purposes related to the district, by a community development authority
19 created under s. ~~66.4325~~ 66.1335, including liquidity and credit facilities,
20 remarketing agreements, insurance policies, guaranty agreements, letter of credit
21 or reimbursement agreements, indexing agreements, interest exchange agreements
22 and currency exchange agreements.

 NOTE: Inserts correct cross-references reflecting renumbering by 1999 Wis. Act (ab
710).

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1 **SECTION 105.** 229.844 (17) of the statutes, as created by 1999 Wisconsin Act 65,
2 is amended to read:

3 **229.844 (17)** Direct its agents or employees, if properly identified in writing, to
4 enter upon any real property, that the district has the authority to condemn, or that
5 the redevelopment authority has the authority to condemn on behalf of the district,
6 to make surveys and examinations before locating or constructing cultural arts
7 facilities, without incurring liability by the district, its agents or employees except for
8 actual damage done. Before directing anyone to enter real property under this
9 subsection, the district shall give the owner and occupant of the property at least 5
10 days' written notice. If the owner or occupant does not consent to the entry, the
11 district may petition the circuit court for the county in which the property is located
12 for an order permitting entry upon the property. The district shall serve a copy of the
13 petition upon the owner and occupant. Before issuing an order, the court shall
14 require the district to demonstrate the necessity of the entry and shall examine the
15 reasonableness of the proposed scope, time, place and manner of the entry. The court
16 may impose appropriate limitations upon the entry in its order.

NOTE: Corrects punctuation.

17 **SECTION 106.** 229.850 of the statutes, as created by 1999 Wisconsin Act 65, is
18 amended to read:

19 **229.850 Special fund for payment of principal and interest costs on**
20 **certain bonds.** The district may maintain a special fund into which it deposits any
21 income or property of the district that is used for the payment of principal and
22 interest costs of bonds issued by the district or by a community development
23 authority created under s.~~66.4325~~ 66.1335 for purposes related to the district.

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NOTE: Inserts correct cross-reference reflecting renumbering by 1999 Wis. Act (ab 710).

1 **SECTION 107.** 230.08 (2) (yz) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1999.

2 **SECTION 108.** The treatment of 230.36 (2m) (a) 19. of the statutes by 1999
3 Wisconsin Act 63, section 77, is not repealed by 1999 Wisconsin Act 85, section 12.
4 Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 230.36 (2m) (a) 19. reads:

19. A fire fighter employed at the Wisconsin Veterans Home at King or at the facilities operated by the department of veterans affairs under s. 45.385.

5 **SECTION 109.** 252.10 (7) of the statutes, as affected by 1999 Wisconsin Acts 9
6 and 32, is amended to read:

7 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
8 shall be purchased by the department from the appropriation under s. 20.435 (5) (e)
9 and dispensed to patients through the public health dispensaries XI, local health
10 departments, physicians or advanced practice nurse prescribers.

NOTE: The stricken text was inserted by 1999 Wis. Act 32 but rendered surplusage by the treatment of this provision by 1999 Wis. Act 9.

11 **SECTION 110.** 253.12 (1) (b) of the statutes, as affected by 1999 Wisconsin Act
12 (Senate Bill 290), is amended to read:

13 253.12 (1) (b) “Pediatric specialty clinic” means a clinic the primary purpose
14 of which is to provide pediatric specialty diagnostic, counseling and medical
15 management services to persons with birth defects by a physician subspecialist.

NOTE: Inserts missing article.

16 **SECTION 111.** 254.15 (1) of the statutes, as affected by 1999 Wisconsin Act
17 (Assembly Bill 806), is amended to read:

18 254.15 (1) Develop and implement a comprehensive statewide lead poisoning
19 or lead exposure prevention and treatment program that includes lead poisoning or

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1 lead exposure prevention grants under s. 254.151; any childhood lead poisoning
2 screening requirement under rules promulgated under ss. 254.158 and 254.162; any
3 requirements regarding care coordination and follow-up for children with lead
4 poisoning or lead exposure required under rules promulgated under s. 254.164;
5 departmental responses to reports of lead poisoning or lead exposure under s.
6 254.166; any lead investigation requirements under rules promulgated under ss.
7 254.167; any lead inspection requirements under rules promulgated under 254.168;
8 any lead hazard reduction requirements under rules promulgated under s. 254.172;
9 certification, accreditation and approval requirements under ss. 254.176 and
10 254.178; any certification requirements and procedures under rules promulgated
11 under s. 254.179; and any fees imposed under s. 254.181.

NOTE: The underscored semicolon was inserted by 1999 Wis. Act (ab 806) without
being shown as underscored. The change was intended.

12 **SECTION 112.** 254.172 (2) of the statutes, as created by 1999 Wisconsin Act
13 (Assembly Bill 806), is amended to read:

14 254.172 (2) If a certified lead risk assessor or other person certified under s.
15 254.176 conducts a lead investigation of a dwelling or premises, he or she shall
16 conduct the lead investigation and issue a report in accordance with any rules
17 promulgated under s. 254.167. If the report indicates that the dwelling or premises
18 meets criteria under s. 254.179 (1) (a) for issuance of a certificate of lead-free status
19 or of a certificate of lead-safe status, the lead risk assessor or other person shall issue
20 the appropriate certificate, subject to s. 254.181.

NOTE: Inserts necessary word.

21 **SECTION 113.** 293.45 (1) of the statutes is amended to read:

22 293.45 (1) The department shall issue a prospecting permit under this section
23 to an applicant within 60 days following the date of the completion of the hearing

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1 record if, on the basis of the application, the department's investigation and hearing
2 and any written comments, it finds that the site is not unsuitable for prospecting or,
3 absent a certification under ~~sub-~~ s. 293.35 (1), surface mining, the department has
4 approved the prospecting plan and the reclamation plan complies with ss. 293.13 (2)
5 and 293.35 (2) and (3) and rules promulgated under ss. 293.13 (2) and 293.35 (2) and
6 (3). The department may modify any part of the application or reclamation plan and
7 approve it as modified. Except as otherwise provided in this chapter, prospecting
8 permits shall be valid for the life of the project, unless canceled under s. 293.83 (1)
9 or (3) or 293.85 or revoked under s. 293.87 (2) or (3).

NOTE: Inserts correct cross-reference. 1995 Wis. Act 227 renumbered this provision from s. 144.84 (2) but did not change the then existing cross-reference to s. 144.84 (1), which was renumbered by the same act to s. 293.35 (1).

10 **SECTION 114.** 301.45 (5m) (a) 3. b. of the statutes, as created by 1999 Wisconsin
11 Act 89, is amended to read:

12 301.45 (5m) (a) 3. b. Ten years from the date on which the person was released
13 from prison or placed on parole, probation, extended supervision or other supervised
14 release for the sex offense ~~which~~ that subjects the person to the requirements of this
15 section.

NOTE: Replaces "which" with "that" to correct grammar.

16 **SECTION 115.** The treatment of 341.04 (1) (intro.) of the statutes by 1999
17 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 80. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 341.04 (1) (intro.) reads:

(1) It is unlawful for any person to operate or for an owner to consent to being operated on any highway of this state any motor vehicle, recreational vehicle, trailer or semitrailer or any other vehicle for which a registration fee is specifically prescribed unless at the time of operation the vehicle in question either is registered in this state, or, except for registration under s. 341.30 or 341.305, a complete application for registration, including evidence of any inspection under s. 110.20 when required, accompanied by the required fee has been delivered to the department, submitted to a dealer under s. 341.09 (2m) for transmittal to the department or deposited in the mail properly addressed with postage prepaid and, if the vehicle is an automobile or motor

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truck having a registered weight of 8,000 pounds or less, the vehicle displays a temporary operation plate issued for the vehicle unless the operator or owner of the vehicle produces proof that operation of the vehicle is within 2 business days of the vehicle's sale or transfer, or the vehicle in question is exempt from registration.

1 **SECTION 116.** The treatment of 341.05 (26) (a) of the statutes by 1999 Wisconsin
2 Act 53 is not repealed by 1999 Wisconsin Act 85. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 341.05 (26)
(a) reads:

(a) The vehicle is a manufactured home, as defined in s. 101.91 (2).

3 **SECTION 117.** The treatment of 341.14 (6m) (a) of the statutes by 1999
4 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 80. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 341.14 (6m)
(a) reads:

(a) Upon application to register an automobile or motor truck which has a gross weight of not more than 8,000 pounds by any person who is a resident of this state and a member or retired member of the national guard, the department shall issue to the person special plates whose colors and design shall be determined by the department and which have the words "Wisconsin guard member" placed on the plates in the manner designated by the department. The department shall consult with or obtain the approval of the adjutant general with respect to any word or symbol used to identify the national guard. An additional fee of \$10 shall be charged for the issuance of the plates. Registration plates issued under this subsection shall expire annually.

5 **SECTION 118.** 341.47 (1) (intro.) of the statutes, as affected by 1999 Wisconsin
6 Acts 9 and 91, is amended to read:

7 341.47 (1) (intro.) Except as provided in sub. (2), any motor vehicle,
8 recreational vehicle, trailer or semitrailer that is owned or repossessed by, or
9 consigned for sale to, a dealer, distributor or manufacturer may be operated on the
10 highways of this state for either private or business purposes without being
11 registered if ~~such~~ the vehicle has displayed upon it valid registration plates issued
12 under s. 341.51 to the dealer, distributor or manufacturer ~~who is the owner of the~~
13 ~~vehicle or holder of the repossessed or consigned for sale vehicle and such~~ the vehicle:

NOTE: Inserts "that is" and replaces "such" for improved readability and conformity with current style. The last phrase is deleted as being redundant.

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1 **SECTION 119.** The treatment of 342.10 (1) (d) of the statutes by 1999 Wisconsin
2 Act 9 is not repealed by 1999 Wisconsin Act 80. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 342.10 (1) (d) reads:

(d) A description of the vehicle, including make and identification number, except that if the vehicle was last registered in another jurisdiction the make and model contained in the certificate shall be the make and model contained in the last certificate of title issued by the other jurisdiction.

3 **SECTION 120.** The treatment of 342.18 (4) (a) of the statutes by 1999 Wisconsin
4 Act 9 is not repealed by 1999 Wisconsin Act 31. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 342.18 (4) (a) reads, effective 7-1-00:

(a) Whenever application therefor accompanied by the required fee is made by a finance company licensed under ss. 138.09 or 218.0101 to 218.0163, a bank organized under the laws of this state, or a national bank located in this state, and the vehicle in question is a used vehicle for which the department had issued a certificate of title to the previous owner or a vehicle previously registered in another jurisdiction or is a recreational vehicle.

5 **SECTION 121.** 342.30 (2) of the statutes, as affected by 1999 Wisconsin Acts 9
6 and 80, is amended to read:

7 342.30 (2) Except as provided in this subsection, an identification number
8 assigned by the department to a ~~recreational vehicle~~ vehicle shall be permanently
9 affixed to a location on the vehicle that is readily visible when observed from outside
10 the vehicle, as specified by the department by rule. Identification numbers assigned
11 for cycles shall be stamped on the left side, near the top of the engine casting just
12 below the cylinder barrel. Such stamping or affixing shall be done under the
13 supervision of a dealer, distributor or manufacturer registered under s. 341.51 or
14 under the supervision of a peace officer. The person supervising the stamping or
15 affixing shall make a report thereof to the department.

NOTE: The stricken language was inserted by 1999 Wis. Act 9 but rendered surplusage by the treatment of this provision by 1999 Wis. Act 80.

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1 **SECTION 122.** The treatment of 343.50 (4) of the statutes by 1999 Wisconsin Acts
2 9 and 80 is not repealed by 1999 Wisconsin Act 88. All treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 343.50 (4) reads:

(4) APPLICATION. The application for an identification card shall include any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm) and (br), such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card and, for applicants who are aged 65 years or older, material, as provided by the department, explaining the voluntary program that is specified in s. 71.55 (10) (b). The department shall, as part of the application process, take a photograph of the applicant to comply with sub. (3). No application may be processed without the photograph being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

3 **SECTION 123.** 344.26 (1) of the statutes, as affected by 1997 Wisconsin Act 84
4 and 1999 Wisconsin Act 80, is amended to read:

5 344.26 (1) Subject to the exceptions stated in ss. 344.25 (2) and 344.27 (2), any
6 operating privilege or registration suspended or revoked under s. 344.25 shall
7 remain suspended or revoked until every judgment mentioned in s. 344.25 is stayed,
8 satisfied or discharged and, unless 3 years have elapsed since the date ~~suspension~~
9 ~~or~~ on which the judgment was stayed, satisfied or discharged, until the person whose
10 operating privilege and registration was suspended or revoked furnishes and
11 maintains in effect proof of financial responsibility for the future.

NOTE: The stricken language was inserted by 1997 Wis. Act 84 but rendered surplusage by the treatment by 1999 Wis. Act 80.

12 **SECTION 124.** The treatment of 344.27 (2) of the statutes by 1997 Wisconsin Act
13 84 is not repealed by 1999 Wisconsin Act 80. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 5-1-01 or the date stated in the notice published by the secretary of transportation in the Wisconsin Administrative Register under s. 85.515, whichever is earlier, s. 344.27 (2) reads:

(2) The secretary shall not suspend the operating privilege or registration and shall restore any operating privilege or registration suspended following nonpayment of a judgment when the judgment debtor obtains such order permitting the payment of the judgment in instalments and, unless 3 years have elapsed since the date on which the order permitting the payment of the judgment in instalments is filed with the secretary, furnishes and maintains proof of financial responsibility for the future.

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1 **SECTION 125.** The treatment of 344.46 (1) of the statutes by 1997 Wisconsin Act
2 84 is not repealed by 1999 Wisconsin Act 80. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 5-1-01 or the date stated in the notice published by the secretary of transportation in the Wisconsin Administrative Register under s. 85.515, whichever is earlier, s. 344.27 (2) reads:

(1) No owner of a motor vehicle involved in an accident in this state which is reportable under s. 346.70 shall transfer the ownership or registration of any vehicle whose registration is subject to suspension or revocation under this chapter until all of the applicable provisions of this chapter has been complied with or until the secretary is satisfied that such transfer is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this chapter.

3 **SECTION 126.** 348.07 (2) (c) of the statutes, as affected by 1999 Wisconsin Act
4 85, is amended to read:

5 348.07 (2) (c) 45 Forty five feet for mobile homes and motor buses.

NOTE: 1999 Wis. Act 85 deleted the stricken text without showing it as stricken and added the underscored text without showing it as underscored. The change was intended.

6 **SECTION 127.** The treatment of 409.302 (3) (b) of the statutes by 1999 Wisconsin
7 Act 9 is not repealed by 1999 Wisconsin Act (Assembly Bill 137). Both treatments
8 stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 409.302 (3) (b) reads:

(b) The following vehicle title statutes: ss. 342.19 and 342.20; but during any period in which collateral is inventory held for sale by a person who is in the business of selling goods of that kind, the filing provisions of ss. 409.401 to 409.408 apply to a security interest in that collateral created by that person as debtor.

9 **SECTION 128.** The treatment of 440.982 (1) (b) of the statutes by 1999 Wisconsin
10 Act 9 is not repealed by 1999 Wisconsin Act 98. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 440.982 (1) (b) reads:

(b) Promulgate rules establishing the education, training or competency requirements that an applicant for a license must satisfy in order to be issued a license of registration under this subchapter. The rules shall require an applicant to complete at least 500 classroom hours of study in a course of instruction in massage therapy or bodywork approved by the department or at a school approved by the educational approval board under s. 45.54. The rules shall also require an applicant whose application is received after March 1, 2000, to successfully complete the national certification examination for therapeutic massage and bodywork that is offered by the

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National Certification Board for Therapeutic Massage and Bodywork or a substantially equivalent examination relating to the practice of massage therapy or bodywork that is approved by the National Commission of Certifying Agencies of the National Organization for Competency Assurance or that is developed, administered or approved by the department. The rules may also require an applicant to pass an examination on state laws and administrative rules governing massage therapy or bodywork.

1 **SECTION 129.** 443.11 (6) of the statutes, as affected by 1999 Wisconsin Act 32,
2 is amended to read:

3 443.11 (6) The examining board, for reasons the appropriate section of the
4 examining board considers sufficient, may reissue a certificate of registration or a
5 certificate of record to any person, or a certificate of authorization to any firm,
6 partnership or corporation, whose certificate has been revoked, except for a
7 certificate revoked under s. 440.12, if 3 members of the section vote in favor of such
8 reissuance. Subject to the rules of the examining board, ~~the examining board,~~ the
9 examining board may, upon payment of the required fee, issue a new certificate of
10 registration, certificate of record or certificate of authorization, to replace any
11 certificate that is revoked, lost, destroyed or mutilated.

NOTE: The stricken text was inserted by 1999 Wis. Act 32 without being shown as
underscored. No change was intended.

12 **SECTION 130.** 560.033 of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1999.

13 **SECTION 131.** 753.40 of the statutes, as affected by 1999 Wisconsin Acts 58 and
14 69, is renumbered 753.40 (1) and amended to read:

15 753.40 (1) If a circuit court finds in a forfeiture action that a person violated
16 an ordinance that prohibits conduct that is the same as or similar to conduct
17 prohibited by state statute punishable by fine or imprisonment, the circuit court may
18 require the person to make a contribution not to exceed the maximum amount of the
19 forfeiture that may be levied to an organization or agency specified in s. 973.06 (1)

1 (f) 1. if the court determines that the violator has the financial ability to make the
2 contribution.

3 **(2)** If the court does require a person to make a contribution to a ~~crime~~
4 ~~prevention organization~~ an organization or agency specified in s. 973.06 (1) (f) 1. but
5 does not require the person to pay a forfeiture or court costs, the court shall state on
6 the record the reasons why it is not requiring the person to pay the forfeiture or court
7 costs. All contributions made under this section shall be made to the clerk of circuit
8 court for distribution to the ~~crime prevention organization~~ or agency specified in s.
9 973.06 (1) (f) 1. The circuit court may not require a person to make a contribution
10 under this section to a ~~crime prevention organization~~ an organization or agency
11 specified in s. 973.06 (1) (f) 1. that has not complied with the provisions of s. 757.17.

NOTE: Renumbers provision to break up long paragraph and to conform with the
treatment of s. 973.06 (1) (f) by this bill. Conforms the language added by Act 58 with the
terminology added to the statutes by Act 69. Section 973.06 (1) (f) is renumbered s. 973.06
(1) (f) 1. by this bill.

12 **SECTION 132.** 755.20 of the statutes, as affected by 1999 Wisconsin Acts 58 and
13 69, is renumbered 755.20 (1) and amended to read:

14 755.20 **(1)** If a municipal court finds in a forfeiture action that a person violated
15 an ordinance that prohibits conduct that is the same as or similar to conduct
16 prohibited by state statute punishable by fine or imprisonment, the municipal court
17 may require the person to make a contribution not to exceed the maximum amount
18 of the forfeiture that may be levied to an organization or agency specified in s. 973.06
19 (1) (f) 1. if the court determines that the violator has the financial ability to make the
20 contribution.

21 **(2)** If the court does require a person to make a contribution to a ~~crime~~
22 ~~prevention organization~~ an organization or agency specified in s. 973.06 (1) (f) 1. but
23 does not require the person to pay a forfeiture or court costs, the court shall state on

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1 the record the reasons why it is not requiring the person to pay the forfeiture or court
2 costs. All contributions made under this section shall be made to the municipal court
3 for distribution to the ~~crime prevention organization~~ or agency specified in s. 973.06
4 (1) (f) 1. The municipal court may not require a person to make a contribution under
5 this section to a ~~crime prevention organization~~ an organization or agency specified
6 in s. 973.06 (1) (f) 1. that has not complied with the provisions of s. 757.17.

NOTE: Renumbers provision to break up long section and to conform with the treatment of s. 973.06 (1) (f) by this bill. Conforms the language added by Act 58 with the terminology added to the statutes by Act 69. Section 973.06 (1) (f) is renumbered s. 973.06 (1) (f) 1. by this bill.

7 **SECTION 133.** 757.17 (intro.) of the statutes, as created by 1999 Wisconsin Act
8 58, is amended to read:

9 **757.17 ~~Crime prevention organization reporting~~ Reporting by certain**
10 **organizations and agencies.** (intro.) Every organization or agency specified in s.
11 973.06 (1) (f) 1. that receives contributions under s. 753.40, 755.20, 973.06 (1) (f) or
12 973.09 (1x) shall submit a report annually by February 1 to the clerk of the court that
13 ordered the contribution. The report shall be on a form designed and provided by the
14 director of state courts and shall include all of the following information for the
15 calendar year preceding the submittal of the report:

NOTE: Conforms the language created by Act 58 with the terminology added to the statutes by Act 69.

16 **SECTION 134.** 757.17 (5) of the statutes, as created by 1999 Wisconsin Act 58,
17 is amended to read:

18 **757.17 (5)** The name of the organization or agency that received the
19 contribution and the names of the officers of the organization or agency.

NOTE: Conforms the language created by Act 58 with the terminology added to the statutes by Act 69.

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1 **SECTION 135.** 778.027 of the statutes, as created by 1999 Wisconsin Act 58, is
2 amended to read:

3 **778.027 Dismissals for contributions to ~~crime prevention~~ certain**
4 **organizations or agencies.** A prosecutor or an attorney representing the state or
5 a political subdivision of the state may not, in exchange for a person’s payment of a
6 contribution to ~~a crime prevention organization~~ an organization or agency specified
7 in s. 973.06 (1) (f) 1., dismiss or amend a citation or complaint alleging a violation that
8 provides for a forfeiture.

NOTE: Conforms the language created by Act 58 with the terminology added to the
statutes by Act 69.

9 **SECTION 136.** 801.095 (3) of the statutes, as affected by 1999 Wisconsin Act 32,
10 is amended to read:

11 **801.095 (3)** NO PERSONAL SERVICE; COMPLAINT SERVED AT THE SAME TIME.

12 STATE OF WISCONSIN CIRCUIT COURT: COUNTY

13 _____

14 A. B.

15 Address

16

17 City, State Zip Code File No.

18 , Plaintiff

19 vs. S U M M O N S

20 C. D.

21 Address (Case Classification Type): (Code No.)

22 City, State Zip Code

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1 City, State Zip Code:

2 Phone No.:

NOTE: The underscored language was deleted by 1999 Wis. Act 32 without being shown as stricken and the stricken language was inserted by Act 32 without being shown as underscored. The changes were unintended.

3 **SECTION 137.** 814.70 (1) of the statutes, as affected by 1999 Wisconsin Act 71,
4 is amended to read:

5 814.70 (1) SERVICE OF PROCESS. For each service or attempted service of a
6 summons or any other process for commencement of an action, a writ, an order of
7 injunction, a subpoena or any other order, \$12 for each defendant or person. If there
8 is more than one defendant or person to be served at a given address, \$6 for each
9 additional defendant or person. No fee charged under this subsection in any action
10 commenced under s. 813.12, 813.122, or 813.123 may be collected from a petitioner
11 under s. 813.12, 813.122, or 813.123. The fee charged under this subsection in any
12 action commenced under s. 813.12, 813.122, 813.123 or 813.125 shall be collected
13 from the respondent under s. 813.12, 813.122, or 813.123 if he or she is convicted of
14 violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4),
15 813.122 (4) or (5), 813.123 (4) or (5) or 813.125 (3) or (4). No fee charged under this
16 subsection in any action commenced under s. 813.125 may be collected from a
17 petitioner under s. 813.125 if the petition alleges conduct that is the same as or
18 similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a)
19 1. to 4. If no fee is collected under this subsection from a petitioner under s. 813.125,
20 the fee charged under this subsection in any action commenced under s. 813.125
21 shall be collected from the respondent under s. 813.125 if he or she is convicted of
22 violating a temporary restraining order or injunction issued under s. 813.125 (3) or
23 (4).

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NOTE: Inserts “or” in three places to correct grammar.

1 **SECTION 138.** 814.70 (3) (intro.) of the statutes, as affected by 1999 Wisconsin
2 Act 71, is amended to read:

3 **814.70 (3) TRAVEL; CIVIL PROCESS.** (intro.) For travel in serving any summons,
4 writ or other process, except criminal warrants, and except that a fee under this
5 subsection in any action commenced under s. 813.12, 813.122, or 813.123 may not be
6 collected from a petitioner but shall be collected from the respondent if he or she is
7 convicted of violating a temporary restraining order or injunction issued under s.
8 813.12 (3) or (4), 813.122 (4) or (5), 813.123 (4) or (5) or 813.125 (3) or (4), and except
9 that a fee under this subsection in any action commenced under s. 813.125 may not
10 be collected from a petitioner if the petition alleges conduct that is the same as or
11 similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a)
12 1. to 4. but shall be collected from the respondent if he or she is convicted of violating
13 a temporary restraining order or injunction issued under s. 813.125 (3) or (4):

NOTE: Inserts “or” to correct grammar.

14 **SECTION 139.** 815.05 (1g) (a) (intro.) of the statutes, as affected by 1999
15 Wisconsin Act 85, section 153, is amended to read:

16 **815.05 (1g) (a) (intro.)** The execution shall be issued from and sealed with the
17 seal of the court and signed by the clerk of circuit court where the judgment, a
18 certified copy of the judgment, or the transcript of the municipal judge’s judgment
19 is filed. The execution shall be directed to the sheriff, or, except as provided for in
20 par. (b), to the coroner if the sheriff is a party or interested, and countersigned by the
21 judgment owner or the owner’s attorney. The execution shall intelligibly refer to the
22 judgment, stating all of the following:

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NOTE: The underscored comma was inserted by 1999 Wis. Act 85 without being shown as underscored. The change was intended. Also deletes a comma and adds “to” to improve readability.

1 **SECTION 140.** The treatment of 895.48 (1m) (intro.) of the statutes by 1999
2 Wisconsin Acts 9 and 32 is not repealed by 1999 Wisconsin Act 56. All treatments
3 stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 11-1-00, s. 895.48 (1m) (intro.) reads:

(1m) Any physician or athletic trainer licensed under ch. 448, chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency medical technician licensed under s. 146.50, first responder certified under s. 146.50 (8), physician assistant licensed under ch. 448, registered nurse licensed under ch. 441 or a massage therapist or bodyworker issued a license of registration under subch. XI of ch. 440 who renders voluntary health care to a participant in an athletic event or contest sponsored by a nonprofit corporation, as defined in s. 46.93 (1m) (c), a private school, as defined in s. 115.001 (3r), a public agency, as defined in s. 46.93 (1m) (e), or a school, as defined in s. 609.655 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that care if all of the following conditions exist:

4 **SECTION 141.** The treatment of 895.48 (1m) (b) of the statutes by 1999
5 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 56. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 11-1-00, s. 895.48 (1m) (b) reads:

(b) The physician, athletic trainer, chiropractor, dentist, emergency medical technician, first responder, physician assistant, registered nurse, massage therapist or bodyworker does not receive compensation for the health care, other than reimbursement for expenses.

6 **SECTION 142.** The treatment of 938.51 (1m) of the statutes by 1999 Wisconsin
7 Act 9 is not repealed by 1999 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 938.51 (1m) reads:

(1m) The department or county department having supervision over a juvenile described in sub. (1) shall determine the local agencies that it will notify under sub. (1) (a) based on the residence of the juvenile’s parents or on the juvenile’s intended residence specified in the juvenile’s aftercare supervision plan or, if those methods do not indicate the community in which the juvenile will reside following release from a secured correctional facility, a secured child caring institution or a secured group home or from the supervision of the department or county department, the community in which the juvenile states that he or she intends to reside.

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1 **SECTION 143.** The treatment of 939.635 (1) of the statutes by 1999 Wisconsin
2 Act 9 is not repealed by 1999 Wisconsin Act (Senate Bill 110). Both treatments
3 stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 939.635 (1) reads:

(1) Except as provided in sub. (2), if a person who has been adjudicated delinquent is convicted of violating s. 940.20 (1) while placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or is convicted of violating s. 940.20 (2m), the court shall sentence the person to not less than 3 years of imprisonment. Except as provided in sub. (2), if a person is convicted of violating s. 946.43 (1m) while placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), the court shall sentence the person to not less than 5 years of imprisonment.

4 **SECTION 144.** The treatment of 939.635 (2) (b) of the statutes by 1999 Wisconsin
5 Act 9 is not repealed by 1999 Wisconsin Act (Senate Bill 110). Both treatments
6 stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 939.635 (2) (b) reads:

(b) That imposing the applicable presumptive minimum sentence specified in sub. (1) is not necessary to deter the person or other persons from committing violations of s. 940.20 (1) or 946.43 (1m) or other similar offenses while placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), or a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or from committing violations of s. 940.20 (2m).

7 **SECTION 145.** 940.25 (1d) (a) of the statutes, as created by 1999 Wisconsin Act
8 (Senate Bill 125), is amended to read:

9 940.25 (1d) (a) If a person who committed an offense under sub. (1) (a), (b), (c)
10 or (d) has one or more prior convictions, suspensions or revocations, counting
11 convictions under this section and s. 940.09 (1) in the person's lifetime plus other
12 convictions, suspensions or revocations counted under s. 343.307 (1), the procedure
13 under s. 343.301 shall be followed if the court orders the the equipping of a motor

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1 vehicle owned by the person with an ignition interlock device or the immobilization
2 of the motor vehicle.

NOTE: Deletes repeated “the”.

3 **SECTION 146.** 943.206 (2) of the statutes, as affected by 1999 Wisconsin Act 51,
4 section 5, is amended to read:

5 943.206 (2) “Owner” means the person who owns sounds in or on a recording
6 from which the transferred recorded sounds are directly or indirectly derived.

NOTE: The underscored language was deleted by 1999 Wis. Act 51 without being
shown as stricken. No change was intended.

7 **SECTION 147.** 967.057 of the statutes, as created by 1999 Wisconsin Act 58, is
8 amended to read:

9 **967.057 Dismissals for contributions to crime prevention certain**
10 **organizations and agencies.** A prosecutor may not, in exchange for a person’s
11 payment of a contribution to a ~~crime prevention organization~~ an organization or
12 agency specified in s. 973.06 (1) (f) 1., dismiss or amend a charge alleging a criminal
13 offense.

NOTE: Conforms the language added by Act 58 with the terminology added to the
statutes by Act 69.

14 **SECTION 148.** 973.06 (1) (f) of the statutes, as affected by 1999 Wisconsin Act
15 58 and 1999 Wisconsin Act 69, section 3, is amended to read:

16 973.06 (1) (f) 1. An amount determined by the court to make a reasonable
17 contribution to any of the following, if the court determines that the person has the
18 financial ability to make the contribution and the contribution is appropriate:

19 2. If the court does require a person to make a contribution to a ~~crime~~
20 ~~prevention organization~~ an organization or agency specified in subd. 1. but does not
21 require the person to pay any fine that may be imposed for the offense or court costs,
22 the court shall state on the record the reasons why it is not requiring the person to

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1 pay the fine or court costs. All contributions made under this paragraph shall be
2 made to the clerk of circuit court for distribution to the ~~crime prevention~~ organization
3 or agency specified in subd. 1. The court may not order a person to make a
4 contribution under this paragraph to a crime prevention organization that has not
5 complied with the provisions of s. 757.17.

NOTE: Renumbers provision to accommodate the treatments by 1999 Wis. Acts 58
and 69 and conforms the language added by Act 58 with the terminology added to the
statutes by Act 69.

6 **SECTION 149.** 973.06 (1) (f) 1. and 2. of the statutes, as created by 1999
7 Wisconsin Act 69, are renumbered 973.06 (1) (f) 1. a. and b.

NOTE: Renumbers provision to accommodate the treatments by 1999 Wisconsin
Acts 58 and 69.

8 **SECTION 150.** 973.075 (5) (intro.) of the statutes, as affected by 1999 Wisconsin
9 Acts 45 and 51, is amended to read:

10 973.075 (5) (intro.) All forfeitures under ss. 973.075 to 973.077 shall be made
11 with due provision for the rights of innocent persons under sub. (1) (b) 2m., (bg), (bm)
12 and, (d) and (e). Except as provided in sub. (5m), any property seized but not forfeited
13 shall be returned to its rightful owner. Any person claiming the right to possession
14 of property seized may apply for its return to the circuit court for the county in which
15 the property was seized. The court shall order such notice as it deems adequate to
16 be given the district attorney and all persons who have or may have an interest in
17 the property and shall hold a hearing to hear all claims to its true ownership. If the
18 right to possession is proved to the court's satisfaction, it shall order the property
19 returned if:

NOTE: Replaces "and" with a comma to correct grammar.

20 **SECTION 151.** 973.09 (1x) of the statutes, as affected by 1999 Wisconsin Acts
21 58 and 69, is renumbered 973.09 (1x) (a) and amended to read:

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1 973.09 (1x) (a) If the court places a person on probation, the court may require
2 that the probationer make a contribution to an organization or agency specified in
3 s. 973.06 (1) (f) 1, if the court determines that the probationer has the financial ability
4 to make the contribution.

5 **(b)** If the court does require a person to make a contribution to a ~~crime~~
6 ~~prevention organization~~ an organization or agency specified in s. 973.06 (1) (f) 1, but
7 does not require the person to pay any fine that may be imposed for the offense or
8 court costs, the court shall state on the record the reasons why it is not requiring the
9 person to pay the fine or court costs. All contributions made under this subsection
10 shall be made to the clerk of circuit court for distribution to the ~~crime prevention~~
11 ~~organization or agency specified in s. 973.06 (1) (f) 1. The court may not require a
12 person to make a contribution under this subsection to a ~~crime prevention~~
13 ~~organization~~ an organization or agency specified in s. 973.06 (1) (f) 1, that has not
14 complied with the provisions of s. 757.17.~~

NOTE: Renumbers provision to break up long subsection and to conform with the treatment of s. 973.06 (1) (f) by this bill. Conforms the language added by Act 58 with the terminology added to the statutes by Act 69. Section 973.06 (1) (f) is renumbered s. 973.06 (1) (f) 1. by this bill.

15 **SECTION 152.** 1999 Wisconsin Act (Assembly Bill 114), section 2 is amended
16 by replacing “36.27 (3m) (b) of the statutes is amended to read:” with “36.27 (3m) (b)
17 1. and 2. of the statutes are amended to read:”

NOTE: 1999 Wis. Act (ab 114) did not affect s. 36.27 (3m) (b) (intro).

18 **SECTION 153.** 1999 Wisconsin Act (Assembly Bill 402), section 1 is amended
19 by replacing “~~shall ascertains~~” with “~~shall ascertain~~”.

NOTE: Corrects stricken text by removing “s” inadvertently added to “ascertain.”

20 **SECTION 154.** 1999 Wisconsin Act (Assembly Bill 710), section 68 is amended
21 by replacing “66.024 of the statutes is renumbered 66.0219, and 66.0219 (intro.), (1)

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1 to (3), (4) (a) and (b) and (5) to (9), as renumbered, are amended to read:” with “66.024
2 (title), (intro.), (1) to (5m) and (6) to (8) of the statutes are renumbered 66.0219 (title),
3 (intro.), (1) to (6) and (7) to (9), and 66.0219 (intro.), (1) to (3), (4) (a) and (b) and (5)
4 to (9), as renumbered, are amended to read:”

NOTE: Confirms that s. 66.024 (5m) to (8) were renumbered to s. 66.0219 (6) to (9),
as shown in the amendment of those provisions, but not in the action phrase for section
68.

5 **SECTION 155.** 1999 Wisconsin Act (Assembly Bill 710), section 188 is
6 amended by replacing “66.069 (2) of the statutes is renumbered 66.0813, and 66.0813
7 (1), (2), (3) (a), (5) and (6), as renumbered, are amended to read:” with “66.069 (2) (a)
8 to (e) of the statutes are renumbered 66.0813 (1) to (6), and 66.0813 (1), (2), (3) (a),
9 (5) and (6), as renumbered, are amended to read:”.

NOTE: Confirms that s. 66.069 (2) (dm) and (e) were renumbered to s. 66.069 (5) and
(6), as shown in the amendment of those provisions, but not in the action phrase for
section 187.

10 **SECTION 156.** 1999 Wisconsin Act (Assembly Bill 710), section 301 is
11 amended by replacing “the bond or security shall be fixed” with “the bond or security
12 shall be fixed”.

NOTE: 1999 Wis. Act (ab 710) showed “be” as underscored, but it was previously
existing. No change was intended.

13 **SECTION 157.** 1999 Wisconsin Act (Assembly Bill 710), section 375 is
14 amended by replacing “~~s. 283.87 sub. (3)~~” with “~~s. 283.87 sub. (3)~~”.

NOTE: 1999 Wis. Act (ab 710) showed “(3)” as underscored, but it was previously
existing. No change was intended.

15 **SECTION 158.** 1999 Wisconsin Act (Assembly Bill 748), section 18 is amended
16 by replacing “~~the same the can be purchased~~” with “~~the same can be purchased~~”.

NOTE: Corrects stricken text by removing incorrectly inserted “the.”

17 **SECTION 159.** 1999 Wisconsin Act 63, section 3 is amended by replacing “at
18 King and veterans” with “at King and veterans”.

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NOTE: 1999 Wis. Act 63 (sb 291) showed “and” as underscored, but it was previously existing. No change was intended.

1 **SECTION 160. Nonstatutory provisions; reconciliation.**

2 (1) The treatment of section 15.377 (6) of the statutes by 1999 Wisconsin Act
3 (this act) is void if 1999 Senate Bill 204 is not enacted.

4 (2) The treatment of section 16.009 (1) (g) of the statutes by 1999 Wisconsin Act
5 (this act) is void if 1999 Senate Bill 155 is not enacted.

6 (3) The treatment of section 36.27 (1) (a) of the statutes by 1999 Wisconsin Act
7 (this act) is void if 1999 Assembly Bill 432 is not enacted.

8 (4) The treatment of sections 66.0201 (2) (b) and (e), 66.0203 (2) (c), 66.0225
9 (title), 66.0295 (4) (b) 5. and 6., 66.04 (1a), 66.0603 (1), 66.0621 (1) (a), 66.0817 (6),
10 66.0821 (2) (a) 1., 66.0821 (5) (a), 66.0823 (5) (q), 66.0901 (5), 66.0903 (3) (am) and
11 (bm), (9) (c), (10) (a) and (b), (11) (a) and (b) 2. and 4. and (12) (a) and (d), 66.1011 (1)
12 and (2), 119.04 (1) (by SECTION 78), 120.25 (5) and 229.841 (1) of the statutes by 1999
13 Wisconsin Act (this act) is void if 1999 Assembly Bill 710 is not enacted.

14 (5) The treatment of section 66.0295 (4) (b) 5. and 6. of the statutes by 1999
15 Wisconsin Act (this act) is void if 1999 Assembly Bill 872 is not enacted.

16 (6) The treatment of sections 66.184 and 120.13 (2) (g) of the statutes by 1999
17 Wisconsin Act (this act) is void if 1999 Senate Bill 136 is not enacted.

18 (7) The treatment of section 119.25 (2) (d) 6. of the statutes by 1999 Wisconsin
19 Act (this act) is void if 1999 Assembly Bill 447 is not enacted.

20 (8) The treatment of section 146.997 (1) (c) of the statutes by 1999 Wisconsin
21 Act (this act) is void if 1999 Senate Bill 172 is not enacted.

22 (9) The treatment of section 253.12 (1) (b) of the statutes by 1999 Wisconsin Act
23 (this act) is void if 1999 Senate Bill 290 is not enacted.

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1 (10) The treatment of sections 254.15 (1) and 254.172 (2) of the statutes by 1999
2 Wisconsin Act (this act) is void if 1999 Assembly Bill 806 is not enacted.

3 (11) The treatment of section 409.302 (3) (b) of the statutes by 1999 Wisconsin
4 Act (this act) is void if 1999 Assembly Bill 137 is not enacted.

5 (12) The treatment of section 939.635 (1) and (2) (b) of the statutes by 1999
6 Wisconsin Act (this act) is void if 1999 Senate Bill 110 is not enacted.

7 (13) The treatment of section 940.25 (1d) (a) of the statutes by 1999 Wisconsin
8 Act (this act) is void if 1999 Senate Bill 125 is not enacted.

9 **SECTION 161. Effective dates.** This act takes effect on the day after
10 publication, except as follows:

11 (1) The treatment of section 254.172 (2) of the statutes takes effect on the first
12 day of the 16th month beginning after the publication of 1999 Wisconsin Act
13 (Assembly Bill 806).

14 (2) The treatment of section 342.30 (2) of the statutes takes effect on the first
15 day of the 4th month beginning after the publication of 1999 Wisconsin Act 80.

16 (3) The treatment of section 940.25 (1d) (a) of the statutes takes effect on
17 January 1, 2002.

18 (4) The treatment of sections 66.0201 (2) (b) and (e), 66.0225 (title), 66.0295 (4)
19 (b) 5. and 6., 66.04 (1a), 66.0821 (2) (a) 1. and (5) (a), 101.952 (5) and (6) and 229.841
20 (1) of the statutes takes effect on January 1, 2001.

21 (5) The treatment of section 110.10 (intro.) of the statutes takes effect on
22 January 1, 2001.

23 (6) The treatment of section 344.26 (1) of the statutes takes effect on May 1,
24 2001 or on the date stated in the notice published by the secretary of transportation

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1 in the Wisconsin Administrative Register under section 85.515 of the statutes,
2 whichever is earlier.

3 (END)